Manatee County Sheriff’s Office

PROPERTY AND EVIDENCE

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“Every contact leaves a trace”
Dr. Edmond Locard (1877 – 1966), a pioneer in forensic science, formulated the fundamental principle of forensic science: “Every contact leaves a trace”. Referred to as Locard’s Exchange Principle, this contends that everyone who enters a crime scene will both bring something into and take something from it.

The job of crime scene analyst is to determine what evidence at the scene belongs to the criminal and not to the victims or witnesses.
Over the past 25 years there has been a transition in the operation of Property Rooms across the country from closets to 50,000+ square foot warehouses.

Many of the changes have been associated with forensic science, including DNA, and with new statutory requirements to retain certain types of evidence for lengthy periods of time, and indefinitely in at least one state.
Today’s Property Rooms are much more advanced in many areas, including environmental sensitivity, security, staffing, automation and digital integration (computer networking and information exchange) with other law enforcement agency operations.
## 2010 - 2015 Inventory Analysis

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>In</strong></td>
<td>31,579</td>
<td>20,173</td>
<td>23,810</td>
<td>28,768</td>
<td>29,700</td>
<td>30,939</td>
</tr>
<tr>
<td><strong>Out</strong></td>
<td>11,530</td>
<td>19,941</td>
<td>13,109</td>
<td>20,522</td>
<td>18,849</td>
<td>1,014</td>
</tr>
<tr>
<td><strong>Difference</strong></td>
<td>20,049</td>
<td>232</td>
<td>10,701</td>
<td>8,246</td>
<td>10,851</td>
<td>29,925</td>
</tr>
<tr>
<td><strong>Destroyed</strong></td>
<td>37%</td>
<td>99%</td>
<td>55%</td>
<td>71%</td>
<td>63%</td>
<td>3%</td>
</tr>
<tr>
<td><strong>Retained</strong></td>
<td>63%</td>
<td>1%</td>
<td>45%</td>
<td>29%</td>
<td>37%</td>
<td>97%</td>
</tr>
<tr>
<td><strong>Inventory Increase</strong></td>
<td>20,049</td>
<td>20,281</td>
<td>30,982</td>
<td>39,228</td>
<td>50,079</td>
<td>80,004</td>
</tr>
</tbody>
</table>
The primary purpose of the Property and Evidence Unit is to provide for the secure storage of all property which is in the custody of the police department until such time that it is needed for analysis, court, or authorized for final disposition.
Evidence =
Testimony and presentation of documents, records, objects, and other such items relating to the existence or non-existence of alleged or disputed facts into which a Court enquires.
The government has a duty to preserve certain types of evidence collected during criminal investigations and prosecutions.

This duty exists in order to protect a defendant’s rights to due process and a fair trial under the 6th and 14th Amendments to the U.S. Constitution.

The duty to preserve evidence begins once any state agency has gathered and taken possession of evidence as part of a criminal investigation.
<table>
<thead>
<tr>
<th>Trace Evidence</th>
<th>Biological Evidence</th>
<th>Impression Evidence</th>
<th>Firearms Evidence</th>
<th>Electronic Evidence</th>
<th>Toxicological Evidence</th>
<th>Questioned Documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>DNA</td>
<td>hairs</td>
<td>blood</td>
<td>fingerprints</td>
<td>weapons</td>
<td>computers</td>
<td>blood alcohol levels</td>
</tr>
<tr>
<td>DNA</td>
<td>fibers, clothing</td>
<td>semen</td>
<td>tire tracks</td>
<td>projectiles</td>
<td>cell phones</td>
<td>drugs</td>
</tr>
<tr>
<td>DNA</td>
<td>paint chips, transfer evidence</td>
<td>saliva</td>
<td>footwear impressions</td>
<td>gunshot residue</td>
<td>PDA</td>
<td>poisons</td>
</tr>
<tr>
<td>DNA</td>
<td>glass</td>
<td>bones</td>
<td>footprints</td>
<td>cartridge cases</td>
<td>thumb drives</td>
<td>wire transfers</td>
</tr>
<tr>
<td>DNA</td>
<td>wood</td>
<td>teeth</td>
<td>bite marks</td>
<td>tool marks</td>
<td>external hard drives</td>
<td>credit cards</td>
</tr>
<tr>
<td>DNA</td>
<td>soil, dirt</td>
<td>body tissue</td>
<td>tool marks</td>
<td>database information</td>
<td>CDs, DVDs, VHS tapes</td>
<td>phone bills</td>
</tr>
<tr>
<td>DNA</td>
<td>hair</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DNA</td>
<td>DNA, Touch</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Standardized packaging of evidence will enhance the likelihood that property will be maintained in its original condition. Additional benefits include the reduction of potential for injury and a more efficient means of storing, identifying, and retrieving property.

The purpose of providing proper documentation for property and evidence is twofold: first is to provide an accurate “Chain of custody” for court purposes, and second is to provide a paper trail that protects everyone who has handled, stored, or made a decision about the item from allegations of carelessness, policy violations, malfeasance, or criminal activity.
Evidence should be properly stored to prevent loss, alteration, cross-contamination, and access by others, including other officers.

A strict “Chain of Custody” shall be followed. All persons who possess the item of evidence at any given time, whether for transfer to storage, transporting to lab, processing on station, photographing, displaying for witnesses, exhibiting in court, or otherwise, shall meticulously document all such possessions by recording their name, date, time, and reason for controlling the evidence. The individuals involved in the chain of custody should be kept to a minimum.
Packaging Guidelines

This section discusses general guidelines for packaging property and evidence and explains the different types of packaging materials available and their general uses.

The following topics are described in this booklet:
General Packaging Requirements
Package Sealing Requirements
Packaging Materials Available
Evidence Storage
About Evidence/Found/Safekeeping/Seized Property Codes
Packaging Errors/Refusal of Property
Time Limits for Retaining Evidence
General Orders
General Packaging and Submission Requirements

The following list describes general packaging requirements for all items submitted to the Property Room:

**Case number**: All items submitted to the Property Room require a case number so that the Property Room can determine the identification of the item.

**Proper bag size**: Use the proper size bag for the item size.
Do not use large size bags for small items; however, be sure to leave enough room in the bag for the item to be placed back in the bag if it is taken out for any action.

**New materials**: Use only new materials to prevent contamination of evidence.

**No sharp edges**: Seal the package so that the container will not tear; no exposed sharp edges.

**No staples**: Do not use staples to secure packages because they present a safety hazard and are easily tampered with.
Package Sealing Requirements

Write five required pieces of information on package:

- Case number
- Complete item description and item number
- Officer MCSO ID number + Officer initials
- Date item is packaged
The following is a list of standardized packaging materials (containers):

- Envelopes
- Paper Bags
- Paper Tubes / Rolls / Cardboard cuts
- Cardboard tubes
- Media Packaging Materials (CD/DVD Sleeve Envelopes)
- Plastic bags (Evidence bags, Antistatic bags, Money bags, Narcotics bags, etc.)
- Strapping tape and evidence tape
- Stickers
- Tags
- Zip-ties
All materials are available at each District Drop rooms. There are instances you will need to contact your Supervisor for supplies such as swab kits and DUI Blood/Urine kits. Sexual Assault Nurse Examiner (SANE) kits are available at local hospitals.

Property Room staff stocks the District Drop rooms with packaging supplies, but you are welcome to take supplies from the Central District Intake Room when needed (night shift), otherwise contact Property Room Mon-Fri / 08:00 – 17:00.

Please do not use containers / materials that are not listed in the following table unless the item cannot be packaged in the standard containers / materials.

Please contact the Property Room to determine whether alternative packaging is acceptable. For example, sometimes a sturdy box is a better alternative for packaging heavy items.
Packaging Materials Available
Preserving and maintaining evidence collected at a scene is crucial. The key is understanding evidence and understanding the proper way to package it.

Remember that above all, property shall always be packaged in such a manner as to provide the best protection for the item and to minimize risk of injury to the handler.

Property should be packaged in the smallest container that will accommodate it without risk of damage to the property but leave enough room for future open/resealing of the original package.
Choose packaging of the proper size and material for the evidence. Package each piece of evidence separately, and properly label, seal, and document it. Use packing tape to seal bags and boxes. Sign across the tape, with half the signature on the tape and half on the package. That way, your evidence will be securely packaged, and you’ll notice any tampering.

For basic collection, you’ll need an assortment of clean, new containers (bags). Never use an old paper sack or an old plastic bag, or you risk contaminating your evidence. If you put a sweater from the scene into an old grocery bag and the lab finds a hair, they won’t know if it came from the bag or the sweater.
Knowledge of proper evidence packaging goes a long way. Many law enforcement property rooms and state crime laboratories have their own specific guidelines for how evidence should be packaged and submitted. Familiarize yourself with our protocol. Go to our local Lab. Ask how they want evidence packaged. Contact P&E for property and evidence handling for information. P&E provides education and training on all aspects of evidence handling, storage, and maintenance. The evidence you collect could make or break the case. Take the time to preserve its integrity and give your case the best shot at success.
The Property Room layout takes into consideration adjacencies between work areas, work-flow, temporary storage, long-term storage, high profile items, bulk or oversize items, biohazard materials, cold storage, destruction area, administrative area, and release area.

Temporary storage refers to the period of time between when an item is submitted by the Collecting MCSO, until the time it is actually received by the Property Staff.

Since there is no one person in physical control of the property/evidence during the time of temporary storage, the storage facility and methodology is provided and it allows a person to testify as to the security of the property/evidence while in temporary storage.
Temporary Storage
MCSO developed a shelving and bin configuration around the packaging and maximized the efficiency and space of the property/evidence storage, and minimized the effort made to store and retrieve it.

This configuration called Storage Schemes is a system of labeling the P&E Building(s), room(s), shelves, and bin(s) that store all the property and evidence held in the custody of MCSO.
Suite 301
Row 28
Rack A - H
About Evidence/Found/Safekeeping/Property codes

Property submitted for Immediate Destruction / Seized = Property acquired through warrantless search or voluntary surrender/search; all items including drugs and paraphernalia taken for destruction and the retention period is zero.

Found Property = Property found in public areas that is of no evidentiary value and whose rightful owner is known or unknown to the Agency. The Property Room will attempt to contact the owner or discover the owner so that he/she may claim the property. If not claimed the Finder can claim the property if applicable. The retention period for unclaimed property is 90 days from submission. All Found Property falls under FSS 705.

Safekeeping Property = Property of no evidentiary value and whose rightful owner is known that comes into the custody of the Agency. The retention period for unclaimed safekeeping property is 90 days. After 90 days it becomes Abandoned.

Evidence = Property that may tend to prove or disprove the commission of a crime or the identity of a suspect. The retention period for evidence: 1yr, 2yrs, 3yrs, 4yrs, depends of the Level of the Charge: County ordinance, Misdemeanor, Felony, Capital Felony and also by the outcome of the case.

General Records Schedule for LEO = for certain items that will fall under both categories; evidence and Public Records the retention period will be the longest.
### Property and Evidence Codification

<table>
<thead>
<tr>
<th>Category</th>
<th>Code</th>
<th>Category</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>02</td>
<td>Purse/Handbags/Wallets</td>
<td>25</td>
</tr>
<tr>
<td>Bicycle</td>
<td>04</td>
<td>Electronics</td>
<td>26</td>
</tr>
<tr>
<td>Clothes</td>
<td>06</td>
<td>Recordings</td>
<td>27</td>
</tr>
<tr>
<td>Computer Hardware</td>
<td>07</td>
<td>Tools</td>
<td>36</td>
</tr>
<tr>
<td>Consumables</td>
<td>08</td>
<td>Vehicle parts</td>
<td>38</td>
</tr>
<tr>
<td>Credit/Debit cards</td>
<td>09</td>
<td>Drugs</td>
<td></td>
</tr>
<tr>
<td>Firearms</td>
<td>13</td>
<td>Other</td>
<td>77</td>
</tr>
<tr>
<td>Household Goods</td>
<td>16</td>
<td>Household Pets</td>
<td>78</td>
</tr>
<tr>
<td>Jewelry / Metals</td>
<td>17</td>
<td>Weapons Accessories</td>
<td>82</td>
</tr>
<tr>
<td>Money</td>
<td>20</td>
<td>Paperwork</td>
<td>83</td>
</tr>
<tr>
<td>Negotiable Instruments</td>
<td>21</td>
<td>Other weapons</td>
<td>84</td>
</tr>
<tr>
<td>Non Negotiable Instruments</td>
<td>22</td>
<td>Biologicals</td>
<td>85</td>
</tr>
<tr>
<td>Office Equipment</td>
<td>23</td>
<td>Safe</td>
<td>86</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Packaging errors and refusal of property

Property Room will “refuse”:
- an item that presents any packaging issue
- an entire case evidence for one item with packaging issues

A “Correction Needed” email will be sent to the submitting MCSO and the respective correction needs to be addressed as soon as possible.
MCSO General Orders

MCSO G.O. 5003 / Property and Evidence General Order

MCSO G.O. 5006 / Collection and Preservation of Evidence