


PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...honor, integrity, courage, respect, and compassion."</i>		SUBJECT: "EVIDENCE PROCEDURES"		ORDER NUMBER: 36-01
		PLEAC STANDARD: 2.77, 3.5.1, 3.5.2, 3.6.1, 3.6.2, 3.6.3		PAGE 1 OF 7
RE-ISSUE DATE: 9/11/2019	EFFECTIVE DATE: 7/15/2011	REVIEW MONTH: JULY	RESCINDS: ALL PREVIOUS	AMENDS: NONE

1.0 POLICY/PURPOSE

- 1.1 It shall be the policy of the Pittsburgh Bureau of Police (PBP) that all property determined to have evidentiary value shall be collected in such a manner that the evidence is not altered or destroyed, a proper chain of custody is maintained, the evidence is stored in a secure area, the evidence is only accessed by authorized individuals, proper audits are performed for accountability and the evidence is properly disposed of when no longer needed.
- 1.2 The purpose of this General Order is to establish guidelines and procedures for the collection, transport, storage, accountability, and disposal of evidence that is in the possession of the PBP.

See General Order 36-2 Property Room Procedures for procedures on destruction, conversion, or return of Evidence collected by the PBP

See General Order 37-1 Lost-Stolen-Abandoned Property for procedures on destruction, conversion, or return of Property collected by the PBP

2.0 DEFINITIONS

- 2.1 **Property Holding Area** – This is any area at the zones or other duty location that is set aside to temporarily hold property until it can be returned to its' owner or disposed of. This area will be secured and the key will be under the control of the desk officer or desk sergeant. This area will be known as the-"30 day hold.
- 2.2 **Property Room** – This is the centralized area (currently located at PBP Headquarters building) that is used to store all Evidence and some property collected by officers of the PBP.
- 2.3 **Property** – Any material item that has been taken by a member of the PBP for any reason other than its' potential use as evidence. This will include items belonging to an arrestee that were not accepted into the Allegheny County Jail as inmate property.
- 2.4 **Evidence** – Any material item that has been taken by a member of the PBP for its' potential use in the prosecution of a suspect.
- 2.5 **Evidence Locker** – This is a secure locker or area that is used to temporarily hold Property Room evidence and crime lab evidence that is too large for the mailbox or that has not been finished processing by the reporting officer.
- 2.6 **Mailbox** – A full-size US Postal Service style mailbox found in each zone and various duty locations used to temporarily hold Property Room evidence and crime lab evidence.
- 2.7 **Case Constable** – The officer responsible for representing the PBP in the Commonwealth's case against a defendant. This may not be the arresting officer or the reporting officer if they are no longer available to appear on behalf of the PBP.
- 2.8 **Narcotics Warehouse** – This a centralized area that is used to store large/bulky items that are too large for the Property Room.
- 2.9 **High Value Property** – Any material item with an estimated value of over \$500 or any currency valued over \$100.
- 2.10 **Investigative Unit** – Officers assigned to a unit that specializes in the collection of a certain type of evidence (i.e. Sex Assault, Fire Investigations Unit, Crime Scene Unit, Burglary, or Violent Crime Unit.

3.0 GENERAL

- 3.1 Before attempting to collect any evidence at any potential crime scene, officers shall ensure the scene is safe and that the scene is secured.
- 3.2 Any officer who collects evidence shall ensure that the evidence is not altered, contaminated, destroyed, or modified in any way from the condition it was found in at the scene.
- 3.3 Direct specific questions regarding evidence packaging to the Crime Scene Unit (CSU). When applicable, officers may also consult with the Allegheny County Office of the Medical Examiner (Crime Lab).
- 3.4 Officers are to be aware that any pictures taken of evidence with a personal camera, phone, or other electronic device will cause that device to become discoverable to both the prosecution and the defense. This means that your camera or phone can be taken as evidence.
- 3.5 Under **no circumstances** are officers to share photographs of crime scenes, evidence, victims, etc. with unauthorized individuals or place any photographs in a public location or forum, or on any types of social media sites.
- 3.6 CSU will have qualified evidentiary personnel available 24/7 to respond to a crime scene.
- 3.7 All evidence shall be packaged by the reporting officer by the end of their tour of duty unless it is the duty of another officer or investigative unit to package (i.e. CSU takes over the processing of a crime scene).
- 3.8 All zones shall maintain a mailbox and an evidence locker to hold evidence. The mailboxes are the default storage container to be used for all evidence. Red colored mailboxes will be used for Crime Lab submissions and Green will be used for items going to the Property Room. See sub-section 5.6
- 3.9 In any case where evidence has been collected and sent to the Property Room, the Case Constable shall complete a Supplemental Report PBP Form 8.11 after the completion of each court hearing. The Supplemental Report PBP Form 8.11 will contain the following information;
 - 3.9.1 Date of the hearing
 - 3.9.2 The court and the Judge
 - 3.9.3 The disposition of the case
 - 3.9.4 If there were any Court Orders or other directives regarding disposition of seized evidence.
 - 3.9.5 If the officer knows of any reason this evidence should not be returned to the owner or destroyed.
- 3.10 A supervisor must approve the submission of all evidence to the Property Room.
- 3.11 All evidence collected by the PBP shall be stored at the Property Room with the exception of hazardous materials such as incendiary devices, biohazard material, explosives, etc. and large/bulky items such as vehicles, furniture, gambling machines, etc. Under **no circumstances is** Evidence to be stored in officer's lockers, desks, on their person, in their vehicles (personal or department), or at their residences.
- 3.12 No perishable food items are to be sent to the Property Room (i.e. food, drinks). If these items are collected, they should be document in the PBP Form #3.0, "Investigative Report" photographed if possible, and destroyed at the officer's respective duty location.
 - 3.12.1 In cases where food / drinks of evidentiary value may need to be collected, the Crime Scene Unit shall be notified and will make the determination for further processing and storage.

4.0 COLLECTION OF EVIDENCE

- 4.1 The first officer to arrive at a crime scene will assess the scene and request all necessary assistance in order to:
 - Aid the injured;
 - Apprehend the actor;

- Obtain witnesses;
 - Protect the crime scene by establishing a secure perimeter to ensure that nobody enters the crime scene who is not authorized to do so, and keep a record of those entering;
 - Notify a supervisor;
- 4.2 Routine crime scenes that do not require the Crime Scene Unit (CSU) or other investigative units will be handled by the initial officers on the scene. The reporting officer will ensure that any evidence collected is properly packaged and documented on the Investigative Report PBP Form 3.0.
- 4.2.1 Included in the Investigative Report PBP Form 3.0 will be a complete description of the evidence as well as a narrative describing how the evidence came into the possession of the PBP.
- 4.3 The reporting officer will notify the Fire Investigations Unit in any cases involving fire / arson investigation. The reporting officer will notify the CSU in any cases involving; homicide, attempted homicide, sexual assault, burglary, business robberies, or any other case that may require specialized evidence collection techniques or experience.
- 4.3.1 Current hours of operation for the CSU are 24 hours a day, 7 days a week.
- 4.3.2 Current hours of operation for Computer Crimes is 0800-2400. Computer Crimes personnel will be made available for call out on a case-by-case basis as determined by the supervisor of Major Crimes.
- 4.3.3 The Fire Investigations Unit is available 24 hours a day, 7 days a week.
- 4.4 This notification will be done by calling the Headquarters Desk (Unit 3800), who will relay the message to the appropriate investigative unit in Major Crimes. The time, date and last name of the person notified must be recorded in the appropriate blocks on the Investigative Report PBP Form 3.0.
- 4.5 A member of the CSU, Fire Investigations Unit, or other investigative unit will contact the reporting officer or a supervisor to determine the appropriate response. The CSU, Fire Investigations Unit, or other investigative unit will either:
- 4.5.1 Respond directly to the scene.
- 4.5.2 Respond at a later time. The officer may need to stay on scene to safeguard the evidence or transport the evidence to a secure location. This will ONLY be done at the direction of the CSU.
- 4.5.3 Not respond, but assist the reporting officer in the collection of evidence (if needed).
- 4.5.4 Determine that there is nothing of evidentiary value.
- 4.6 Once it has been determined that the CSU, or the Fire Investigations Unit will respond to a crime scene, they will be responsible for the following:
- 4.6.1 Latent finger print development
- 4.6.2 Sketches, measurements, photographs and video taping;
- 4.6.3 Collection of potential evidence;
- 4.6.4 Collection of known source standards to be compared to seized evidence;
- 4.6.5 Transportation of evidence;
- 4.6.6 Preparing necessary Supplemental Reports.

5.0 PACKAGING EVIDENCE

5.1 Firearms

- Seized firearms will be identified and safely packaged. All firearms will be sent to the Crime Scene Unit, whose responsibility will be to photograph the firearm (s) prior to submitting it for ballistic testing. Any specific testing should be requested utilizing the Crime Scene Unit processing form 43-9.1 in the Police Officers Toolkit.
- **Firearms shall not be loaded (no round in the chamber)** when sent to the CSU or Property Room. There should be no magazine in the firearm. Do not unload any loaded magazines. **Place the loaded magazine and the loose round(s) from the chamber (if any) into separate secured white envelopes; place the envelopes into the same evidence envelope with the firearm.**

- Officers will clearly write "FIREARM CLEARED AND INSPECTED BY: NAME AND BADGE NUMBER" on the outside of the evidence envelope, evidence brown paper bag, or evidence package in a visible area in red ink or marker.
 - For firearms seized by PFA where there are no criminal charges write: "FIREARM CLEARED AND INSPECTED BY: NAME AND BADGE NUMBER" and add: "PFA GUN."
 - If the submitting officer fails to adhere to the **proper packaging of a firearm** and / or fails to **mark clearly the firearm evidence package** as outlined above, CSU personnel will not accept the firearm / firearm evidence package. The firearm will be returned to the submitting officer for proper submittal.
 - Firearms discovered at a crime scene in which either the CSU or Major Crimes' Detectives are called out to process, **SHOULD NOT BE DISTURBED** until they are processed by CSU or Major Crimes' Detectives; **DO NOT TOUCH THESE FIREARMS, DO NOT UNLOAD THESE FIREARMS, DO NOT MOVE THESE FIREARMS**, unless by not doing so the firearm presents a clear and present danger. If the firearm must be moved, officers will handle the firearm with gloves whenever possible. The firearm may be placed in the trunk of a patrol vehicle. **DO NOT** unload the firearm. Officers will ensure the lead Detective/Investigator is notified of the original location of the firearm and the reason it was moved.
 - CSU personnel should be contacted when recovered firearms cannot be rendered safe or cleared (vintage, rusted, jammed, or in a corrosive condition), for further processing and packaging. CSU personnel may request the recovering officer to transport the firearm(s) directly to the Firearms Division or the CSU Division, in the safest manner applicable.
- 5.2 Evidence will be packaged and marked so as not to damage or contaminate the evidence. Caution will be used so evidence is not contaminated, altered or destroyed. This will be accomplished by proper packaging and common sense.
- 5.2.1 . Evidence that cannot be marked will be packaged in an appropriate container, sealed and the container marked.
- 5.3 Choose the best available container and package the evidence according to the following procedures:
- Do not place evidence from one investigation with evidence from another investigation;
 - Package each item of evidence **separately** in plastic vials, pill boxes, envelopes, boxes or brown paper bags;
 - Seal each evidence package (envelope, bag, container) securely to prevent damage and leakage;
 - Drug evidence will be packaged separately from non-drug evidence;
 - Syringes at the scene of a suspicious death or an overdose will be collected by the Medical Examiner's office or the CSU.
 - Syringes recovered by officers will be disposed of at the Zone in a Sharps container, unless the syringe(s) is of evidentiary value and is necessary for the court case. The syringe will be packaged (plastic syringe tube if possible) in a manner to ensure safety to the transporting evidence officer, Property Room personnel, and / or CSU personnel.
 - Officers shall not collect, handle, or package bodily fluids / blood evidence, unless directed by CSU personnel, or it is necessary for the protection of that evidence. In the event officers are subject to come in contact with bodily fluids / blood evidence, officers should use universal precautions (latex gloves, masks), when possible, to protect against blood borne pathogens and to protect against contamination of the evidence.
 - Air-dry wet or bloody exhibits and package in paper. Plastic can alter and destroy trace evidence;
 - Mark the container before placing evidence inside;
 - Make sure known source standards are packaged separately from potential evidence;
 - Blood samples of sex assault (drugged) victims and sex assault kits will be stored according to Sex Assault and Family Crisis Division protocol.
 - DUI blood will be taken to SDD and stored (refrigerated) per SDD Division protocol.
 - Small amount of Marijuana will be sent to the Property Room when the only charge is 35 Pa. Stat. Ann. § 780-113(a) (31).
- 5.3.1 Digital / Computer / Cellular Phone Evidence
- Computer evidence (digital evidence) will be handled on a case-by-case basis. Direct questions to the Computer Crimes Unit or the CSU.
 - All electronic devices submitted to the Computer Crimes Unit must be accompanied with a Computer Crime Processing Form. This is to ensure a proper "chain of custody" is maintained for all evidence. Computer Crime Detectives will not accept any electronic device(s) without the Computer Crime Processing Form. The Computer Crime Unit Processing Form is located in the Police Officers Toolkit and shall be submitted electronically.

- Officers must determine the value of digital evidence (phone numbers, call data) vs. physical evidence (prints, DNA) when submitting cellular phones to the CSU. Current retrieval methods for prints and DNA evidence could cause the loss of digital evidence. Current retrieval methods for digital evidence will likely obliterate any prints or contaminate DNA evidence.
- All cellular phones sent to the Property Room must have evidentiary value, for example, criminal charges must include Delivery or Intent to Deliver. Otherwise, the report narrative must indicate that a search warrant is being requested and shall be obtained for further processing of the cellular phone. The seizure of cellular phones must be directly related to the charges in the case, and / or articulable facts must be established for further investigation of the cellular phone(s). The Property Room will not accept cellular phones for mere safekeeping or storage.

5.4 Evidence will be placed into an evidence envelope, sealed, initialed and the CCR # written on the envelope.

5.5 If the evidence is too large for an evidence envelope then a brown paper bag will be used. The bag shall be sealed, initialed and CCR # recorded on the bag along with any information that would normally be placed on the evidence envelope. If more than one evidence envelope or bag is used, each one will be properly filled out and labeled 1 of 3, 2 of 3, and 3 of 3.

5.6 The front of the evidence envelope will be completed and the number or letter used to identify the exhibit will correspond with the assigned number or letter on the police report, for example:

- If exhibit 1 on the police report is "a plastic baggie with green leafy vegetable matter believed to be marijuana" then exhibit 1 on the evidence envelope should be "a plastic baggie with green leafy vegetable matter believed to be marijuana."

5.7 Evidence to be analyzed by the Allegheny County Crime Lab will be identified numerically. An **exhibit** number will be placed on each piece of evidence or the evidence will be placed in a container with an exhibit number attached to the container. A description of the exhibits will be listed on the police report in a separate paragraph in the following manner:

5.7.1 "Exhibit 1." Describe the exhibit, who found it, and where it was found, for example:

- Exhibit 1 - A plastic baggie of suspected marijuana found by Officer Smith in the actor Jones' left front pants pocket.
- Exhibit 2 - A blue steel S& W .38 cal. Revolver, serial # 11235, found by Officer Smith in the actor Jones' left front pants pocket.
- Exhibit 3 - Six (6) spent cartridges found in Exhibit 2 by Officer Smith.

5.8 Evidence which will **not** be sent to the Allegheny County Crime Lab will be identified alphabetically and listed on the police report in a separate paragraph in the following manner:

5.8.1 "Exhibit A." Describe the exhibit, who found it and where it was found, for example:

- Exhibit A - A \$100.00 dollar bill serial # A23612D, found in actor Jones' right hand by Officer Smith.

5.9 The Property Room will need an accurate total of any money sent to them as evidence. Serial numbers from money are not needed by the Property Room and do not need to be listed on the Property Record and Receipt PBP Form, however they should be included in the report if they would hold some evidentiary value.

5.10 Jewelry must be listed separately by type, for example:

- Exhibit A – 3 gold necklaces, 1 silver ring, 4 gold rings, and 2 pair diamond earrings, found in a cloth bag in Actor Jones' right hand by Officer Smith.

5.11 All Evidence will be logged on one Property Record and Receipt PBP Form. A second form will only be used if:

5.11.1 there is too much evidence to list on one Property Record and Receipt PBP Form

5.11.2 the evidence will be sent to two different locations (i.e. cell phone to CSU and money to Property Room)

6.0 CHAIN OF CUSTODY

- 6.1 The police report will serve as an inventory control form.
- 6.2 Evidence seized and packaged by the Crime Scene Unit will be secured, recorded and delivered by the Crime Scene Unit to the Allegheny County Crime Lab as soon as possible.
- 6.3 Evidence seized by anyone else will be taken to the reporting officer's zone or duty location as soon as possible, identified and packaged. A shift supervisor will check to see that the guidelines in Section 4.0 have been followed. The supervisor or designee will place the evidence in the evidence locker or the evidence mailbox.
 - 6.3.1 Submitting Officer presents all evidence to the Desk Officer.
 - 6.3.2 Desk officer conducts initial inspection.
 - 6.3.3 A supervisor then inspects the evidence.
 - 6.3.4 Upon approval by the supervisor, the submitting officer enters the evidence in the evidence book.
 - 6.3.5 The supervisor or desk officer then signs the book and the evidence is dropped into mailbox or placed in evidence locker.
- 6.4 If an emergency situation occurs and the prior shift supervisor was unable to inspect and place the evidence in their proper location, the following shift supervisor shall ensure the proper procedures are followed.
- 6.5 All zones and other duty locations that require the storage of evidence shall maintain an Evidence Book. This book will be standardized throughout the PBP and will be provided by the Property Room. The Property Room will be responsible for determining the necessary fields of information to be recorded in the Evidence Book and will produce a template/example to be kept in the Evidence Book for reference.
- 6.6 The Evidence Book shall contain the following columns in the following order from left to right;
 - 6.6.1 Date received;
 - 6.6.2 Time received;
 - 6.6.3 CCR #;
 - 6.6.4 Description of evidence;
 - 6.6.5 Officer who logged in evidence (print and sign);
 - 6.6.6 Supervisor (or equivalent – desk officer) receiving evidence (print and sign);
 - 6.6.7 Where evidence will be sent to;
 - 6.6.7.1 This column will have 5 categories: CL – Crime Lab, PR – Property Room, CU– Crime Unit, EL – Evidence Locker, O - Other
 - 6.6.8 Transporting Officer (print and sign);
 - 6.6.9 Date released;
 - 6.6.10 Time released;
 - 6.6.11 Condition of evidence;
 - 6.6.12 Crime Lab number;
 - 6.6.13 Property Room number;
- 6.7 All evidence that is to be sent to the Property Room or the Crime Lab shall be placed in the evidence mailbox with the exception of:
 - 6.7.1 Evidence that is too large to fit in the mailbox.
 - 6.7.2 Evidence that is waiting signed arrest paperwork from CRRU.
 - 6.7.3 Evidence that has not yet been packaged and the packaging officer has been called out of the station on an emergency.
 - 6.7.4 Evidence returned from the Property Room for administrative correction to paperwork.
- 6.8 All evidence that is not placed in the mailboxes shall be placed in the zone evidence locker.

- 6.9 All evidence that is to be sent to an agency or a lab that is not under the control of the PBP, the Allegheny County Crime Lab, or the Allegheny County DA's office will be documented on a Supplemental Report PBP Form 8.11 or the Investigative Report PBP Form 3.0 and will include the following:
- 6.9.1 the name of the agency/lab receiving the Evidence
 - 6.9.2 the location of the agency/lab
 - 6.9.3 the reason the Evidence is being sent to the agency/lab
 - 6.9.4 any other pertinent information relating to the transfer
- 6.10 In certain exceptional cases Evidence will not be stored at the Property Room. For example; bulky items will be stored at the Narcotics and Vice Warehouse, flammable material will be stored at the Fire Investigations Unit. Regardless of where evidence is stored it will meet the Chain of Custody requirements as per *General Order 36-2 Property Room Section 3.2*.
- 6.11 Evidence that was signed out of the Property Room for the purpose of court but can not be returned to the Property Room due to the Property Room being closed, shall be taken to that officer's duty location and logged into the Evidence Book at that location until the Property Room is open.
- 6.12 On each shift, a supervisor shall inventory all evidence that is in the station awaiting transport to the Property Room and list this evidence by CCR# on the Daily Assignment Sheet. Any duty location that stores Evidence will assign someone to conduct this inventory.
- 6.13 The mailbox and evidence locker will remain locked after evidence is placed inside and again after evidence has been checked.
- 6.14 The officer assigned to transport the evidence to the Property Room or Allegheny County Crime Lab will take the receipt from the Property Room or Allegheny County Crime Lab and return it to the zone or duty location of the officers who initiated and completed the police report.
- 6.15 The clerk of the zone or duty location whose officers seized the evidence will file the receipt and also file the Allegheny County Crime Lab report when it is finished and sent to the zone or unit by the Allegheny County Crime Lab.

Approved By:



Scott Schubert
Chief of Police