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| <b>PBP FORM 290</b><br><br><b>PITTSBURGH BUREAU OF POLICE</b><br><i>"...honor, integrity, courage, respect, and compassion."</i> |  | <b>SUBJECT:</b><br><b>"PROPERTY ROOM PROCEDURES"</b>               | <b>ORDER NUMBER:</b><br><b>36-02</b>    |
|   |  | <b>PLEAC STANDARD:</b><br><b>3.6.1, 3.6.2, 3.6.4, 3.6.5, 3.6.6</b> | <b>PAGE 1 OF 8</b>                      |
| <b>RE-ISSUE DATE:</b><br><b>11/21/2019</b>  | <b>EFFECTIVE DATE:</b><br><b>7/15/2011</b> | <b>REVIEW MONTH:</b><br><b>SEPTEMBER</b>                           | <b>RESCINDS:</b><br><b>ALL PREVIOUS</b> |
|   |  |  | <b>AMENDS:</b><br><b>NONE</b>           |

## 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.

## 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 is known as the "30-day hold".
- 2.2 Property Room – This is the centralized area (currently located at the 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 Chief Property Custodian – Officer with a duty location at the Property Room responsible for the overall day-to-day management of the Property Room.
- 2.9 Property Custodian – Personnel with a duty location in the Property Room responsible for maintaining the chain of custody for evidence collected by members of the PBP.
- 2.10 Narcotics Warehouse – This a centralized area that is used to store large/bulky items that are too large for the Property Room
- 2.11 High Value Property – Any material item with an estimated value of over \$500 or any currency valued over \$100.

- 2.12 Commander's Property Release – A standardized form from a Commander or a Chief to the location in which Property is stored (Property Room, Narcotics Warehouse, Arson, etc.) directing that specifically named Property be released. Items that are coded as Evidence on the reporting officer's initial paperwork must first be reclassified as Property via PBP Form #8.11, "Supplemental Report".

### **3.0 GENERAL**

- 3.1 The success or failure of a criminal investigation and any subsequent prosecution often depends on evidence discovered at the crime scene. Consequently, the collection, identification, packaging, chain of custody and processing of this evidence is extremely important.
- 3.2 This General Order was developed mainly for use with the Property Room, however, there are various provisions that will apply to all locations where evidence is being stored. These specific sections are:
- 3.2.1 Packaging and marking evidence – Section 4.1.3
  - 3.2.2 Accessing Evidence – Section 4.1.6
  - 3.2.3 Maintaining an Evidence Book – Sections 4.1.7 and 4.1.8
  - 3.2.4 Release of Evidence or Property – Section 4.3
  - 3.2.5 Audits – Sections 4.4.6 thru 4.4.12
  - 3.2.6 Assets Forfeiture – Section 4.6

### **4.0 PROPERTY ROOM PROCEDURES**

#### **4.1 GENERAL RULES**

- 4.1.1 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 item such as vehicles, furniture, gambling machines, etc.
- 4.1.2 All evidence sent to the Property Room shall be listed on PBP Form #49.10, "Property Record and Receipt". Any evidence not listed on the form, or listed incorrectly on the form will be sent back to the originating location for the packaging officer to make necessary corrections. The Property Room supervisor shall ensure this discrepancy is e-mailed to the Commander of the submitting officer's duty location.
- 4.1.3 Property Room personnel shall assign a Property Room Number and Location of Storage to the evidence and PBP Form #49.10, "Property Record and Receipt Form. Property Room personnel shall be responsible for the storage and retrieval of any evidence in the Property Room property storage area.
- 4.1.4 Evidence containers will not be opened by Property Room personnel except in cases where the evidence is money, jewelry, or another high value item.
- 4.1.5 All evidence and its location will be entered into the C.R.I.M.E.S. Database by Property Room Personnel daily. The original Property Slip will be maintained at the Property Room. The Transporting Officer will receive a copy of the Property Slip.
- 4.1.6 Access to secure evidence/property shall be limited to designated evidence/property control custodians.
- 4.1.6.1 Evidence/property control custodians shall be appointed by the Chief of Police or their designee.
  - 4.1.6.2 Access by non-evidence/property control custodians shall be granted on a case by case basis (i.e. inspectors, auditors, policy writers). Access shall only be granted by the Chief of Police or their designee.
  - 4.1.6.3 Any person granted access to the property room who is not a designated evidence/property control custodian shall be monitored at all times that they are in the presence of any evidence/property.

4.1.7 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.

4.1.8 The Evidence Book shall contain the following columns in the following order from left to right;

4.1.8.1 Date received;

4.1.8.2 Time received;

4.1.8.3 CCR #;

4.1.8.4 Description of evidence;

4.1.8.5 Officer who logged in evidence (print and sign);

4.1.8.6 Supervisor (or equivalent - Desk Officer) receiving evidence (print and sign);

4.1.8.7 Where evidence will be sent to;

4.1.8.7.1 This column will have 5 categories: CL – Crime Lab, PR – Property Room, CSU – Crime Scene Unit, EL – Evidence Locker, O - Other

4.1.8.8 Transporting Officer (print and sign);

4.1.8.9 Date released;

4.1.8.10 Time released;

4.1.8.11 Condition of evidence;

4.1.8.12 Crime Lab number;

4.1.8.13 Property Room number.

## 4.2 SPECIAL RULES

### 4.2.1 MONEY

4.2.1.1 If the evidence is currency, the currency will be counted and a receipt will be issued to the transporting officer and a receipt will be maintained at the Property Room.

4.2.1.2 If the evidence is jewelry the evidence bag will be opened and the jewelry will be verified. A notation will be made on PBP Form #49-10, "Property Record and Receipt"~~209~~ by the Property Room Personnel.

4.2.1.3 All envelopes containing money will be marked with a Property Room Number and Location for Storage.

4.2.1.4 The Property Room Personnel will separately secure all money in vaults in the Money Room.

4.2.1.5 Bio-hazard money will not be counted by Property Room Personnel. The Bio-hazard money will be marked as Bio-hazard and will be stored in the vault. Bio-hazard money will be given a Property Room Number on it and a Location of Storage.

4.2.1.6 Currency from any Homicide Investigation will be marked "Homicide" and be separately secured in a vault. It will be marked with a Property Room Number and Location of Storage. Currency from any Homicide must remain in the Property Room and cannot go into the City Trust Account.

4.2.1.7 Currency that does not match the amount listed on PBP Form #49.10, "Property Record and Receipt" will be sent back to the submitting Officer. The Officer will complete a PBP Form #8.11, "Supplemental Report" stating the reason for the discrepancy and then re-submit the currency with a copy of the Supplemental Report. The Property Room Personnel will maintain a file of all discrepancies. The Property Room supervisor shall ensure this discrepancy is e-mailed to the Commander and the shift supervisor of the submitting officer's duty location.

### 4.2.2 DRUGS

4.2.2.1 All drug evidence that comes directly to the Property Room will be given a Property Room Number and Location for Storage.

4.2.2.2 All drug evidence that comes from the Allegheny County Crime Lab will have a Crime Lab Number assigned to it and will be assigned a Location for Storage.

4.2.2.3 All drugs will be separately secured in the Drug Room.

4.2.2.4 All drug evidence sent to the Property Room shall be listed on PBP Form #49.10, "Property Record and Receipt". Any evidence not listed on the form, or listed incorrectly on the form will be sent back to the originating location for the packaging officer to make necessary corrections. The Property Room supervisor shall ensure this discrepancy is e-mailed to the Commander of the submitting officer's duty location.

#### 4.2.3 GUNS

4.2.3.1 All guns that come directly to the Property Room will be given a Property Room Number and Location for Storage.

4.2.3.2 All gun evidence that comes from the Allegheny County Crime Lab will have a Crime Lab Number assigned and will be assigned a Location for Storage.

4.2.3.3 All guns will be separately secured in the Gun Room.

4.2.3.4 All evidence sent to the Property Room shall be listed on the PBP Form #49.10, "Property Record and Receipt". Any evidence not listed on the form, or listed incorrectly on the form will be sent back to the originating location for the packaging officer to make necessary corrections. The Property Room supervisor shall ensure this discrepancy is e-mailed to the Commander of the submitting officer's duty location.

#### 4.2.4 PFA GUNS/WEAPONS/AMMUNITION

4.2.4.1 Relinquished Firearms, or PFA Guns, will be packaged according to policy and sent to the Crime Scene Unit (CSU) for photographs to document condition. The packaging should clearly be marked "PFA GUN" (*Refer to PBP General Order #36-01, "Evidence Procedures"*).

4.2.4.2 PFA Guns will then be forwarded to the Property Room for storage until the resolution of all legal proceedings.

4.2.4.3 PFA Guns will be stored in a designated area of the Property Room, separate from other evidence, to preserve their condition and prevent damage.

4.2.4.4 Any other relinquished weapons, ammunition or items listed by the court shall also be sent to be photographed by the CSU and then stored in a designated area of the Property Room, separate from other evidence, to preserve their condition and prevent damage.

4.2.4.5 All PFA guns/weapons/ammunition that come to the Property Room will be given a Property Room Number and Location for Storage.

4.2.4.6 All PFA related relinquished firearms/weapons/ammunition sent to the Property Room shall be submitted with a copy of the Firearms Relinquishment Receipt and be listed on the PBP Form #49.10, "Property Record and Receipt". Any evidence not listed on the form, or listed incorrectly on the form will be sent back to the originating location for the packaging officer to make necessary corrections. The Property Room supervisor shall ensure this discrepancy is e-mailed to the Commander of the submitting officer's duty location.

#### 4.2.5 FLAMMABLE AND EXPLOSIVE DEVICES

4.2.5.1 The Fire Investigation Unit collects flammable liquid from a scene, in a four (4) milliliter vial and submits it to the Allegheny County Crime Lab for analysis.

- If there is a question regarding flammable liquids or combustible materials, the member can call the Fire Investigations Unit and speak with the detective working. If no On-duty Detective is available, a Detective may be called.

4.2.5.2 Small amounts of liquids may be disposed of at the City Garage or through the approved vendor Weavertown (Hazardous Materials Disposal Company.)

4.2.5.3 All explosive devices will be collected by EOD and disposed of according to their Standard Operating Procedures.

4.2.5.4 Contact EOD or the CSU to determine if they will collect any residue from an explosive device (i.e. the shrapnel from a detonated pipe bomb) or if the reporting officer will collect this Evidence.

#### 4.2.6 HIGH VALUE PROPERTY

4.2.6.1 High Value Property that has been recovered in the zones and is awaiting the return to its rightful owner shall be stored in the Property Room.

4.2.6.2 The Property Room shall only release this property with:

4.2.6.2.1 A court order.

4.2.6.2.2 PBP Form #49.11, "Commander's Property Release"-from the zone where it was recovered.

4.2.6.2.3 Guidance from the Commonwealth Bureau of Unclaimed Property.

4.2.6.3 All High Value Property sent to the Property Room shall be listed on PBP Form #49.10, "Property Record and Receipt". Any evidence not listed on the form, or listed incorrectly on the form will be sent back to the originating location for the packaging officer to make necessary corrections. The Property Room supervisor shall ensure this discrepancy is e-mailed to the Commander of the submitting officer's duty location.

### 4.3 **RELEASE OF PROPERTY**

#### 4.3.1 FOR COURT

4.3.1.1 Case Constables are to report to the Property Room to retrieve the evidence for court.

4.3.1.2 Case Constables are to sign the Evidence Log Book that they are taking the evidence to court.

4.3.1.3 Case Constables are responsible for the safe keeping of the evidence while it is at court.

4.3.1.4 Case Constables are to return the evidence to the Property Room and sign the evidence back over to the Property Room.

4.3.1.4.1 Evidence that cannot be returned to the Property Room after normal business hours shall be taken to the officer's duty location, signed into the Evidence Book, and placed in the mailbox or Evidence Locker at that location. The evidence shall then be transported to the Property Room on the next business day.

4.3.1.5 At no time should the evidence be released /destroyed by the court. All Evidence must be returned to the Property Room and the Property Room will release or destroy the evidence as per court order.

#### 4.3.2 TO OWNER

4.3.2.1 Owners must have a Court Order or PBP Form #49.11, "Commander's Property Release" to receive any evidence/property from the Property Room.

4.3.2.2 PBP Form #49.11, "Commander's Property Release" must be signed by a Commander or higher rank within the Pittsburgh Bureau of Police and must contain the following:

- 4.3.2.2.1 Name of person to receive the property
  - 4.3.2.2.2 CCR number associated with the evidence
  - 4.3.2.2.3 The Property Room number (if available)
  - 4.3.2.2.4 Specific description as to what is to be returned (do not just say "all evidence")
  - 4.3.2.2.5 Reason property is to be returned
  - 4.3.2.2.6 A signature line for Property Room personnel to sign acknowledging the property's release
- 4.3.2.3 Firearms shall only be released with a Court Order and must be approved by the Narcotics/Vice/FTU commander, or their designee.
- 4.3.2.3.1 A request for the release of a firearm must be sent to the Firearms Tracking Unit, where a P.I.C.'s check will be completed prior to the firearms release.
  - 4.3.2.3.2 Additionally, the Commander of the Major Crimes section, or their designee, must approve the release of firearms belonging to Law Enforcement Officers.
- 4.3.2.4 Any person to receive property from the Property Room must present photo identification.
- 4.3.2.5 Any person receiving property must sign the log book and PBP Form #49.11, "Commander's Property Release.
- 4.3.2.6 All property that is released will be documented by Property Room Personnel into the C.R.I.M.E.S. Database.
- 4.3.3 PFA GUNS/WEAPONS - The legal return of weapons to the Defendant after the resolution of legal proceedings
- 4.3.3.1 Upon notification of the completion of all legal proceedings, either by the Defendant or by other means, Property Room Personnel will perform the following:
    - 4.3.3.1.1 Check the Defendant through Index and CRRU for warrants.
    - 4.3.3.1.2 Confirm through the Pennsylvania State Police PFA Database (PFAD) that the Defendant is eligible to have his/her weapons returned.
    - 4.3.3.1.3 Conduct a PA State Police instant background check, i.e. PICs Check.
    - 4.3.3.1.4 Complete the return receipt in PFAD, which will list all weapons being returned and the recording of the PICs approval number.
    - 4.3.3.1.5 Print and sign the return receipt.
    - 4.3.3.1.6 Provide the Defendant with a copy of the receipt.
    - 4.3.3.1.7 Inspect all weapons for condition in the presence of the Defendant.
      - 4.3.3.1.7.1 Refer the Defendant to the Law Department if he/she believes the weapons were damaged while in police custody.
    - 4.3.3.1.8 Return all weapons/items to the Defendant.
    - 4.3.3.1.9 Document the return of property on PBP Form #8.11, "Supplemental Report" under the original relinquishment CCR#.

#### 4.4 AUDIT PROCEDURES

- 4.4.1 The Property Room will be audited by the City Controller's Office. Property Room Personnel will assist the Controller's Office with this process.

- 4.4.2 Property Room Personnel will closely observe the auditors from the City Controller's Office. Property Room Personnel will sit beside the auditors during the counting of all money.
- 4.4.3 The City Treasurer's Office will transport any money to the bank with Property Room Personnel.
- 4.4.4 Receipts from the Controller's Office and the bank are maintained at the Property Room and documentation is made in the C.R.I.M.E.S. Database.
- 4.4.5 The Property Room may also be inspected by State or Federal agencies in certain circumstances. In any instance where a State or Federal agency has the authority to inspect and gives notice to the Property Room of an impending inspection, Property Room personnel shall immediately inform their chain of command of the impending inspection in writing via PBP Form #54.0, "Special Report".
- 4.4.6 Property Room Personnel will assist any inspecting agency with their inspection, as requested.
- 4.4.7 Property Room Personnel will closely observe the inspector/auditors during any inspection. Property Room Personnel **WILL NOT** leave inspectors/auditor alone with evidence at any time.
- 4.4.8 The Property Room will be inspected annually by a sworn PBP officer who has been appointed by the Chief of Police, or their designee, to determine adherence to evidence/property control procedures and policy.
- 4.4.8.1 The inspection shall be a review of reasonable, representative groups of records to ensure compliance with the department's general orders related to evidence/property management.
- 4.4.9 An inventory of evidence/property shall be conducted by a sworn PBP officer who has been appointed by the Chief of Police, or their designee, whenever the person responsible for the evidence/recovered property function is assigned to and/or transferred from that position.
- 4.4.10 A complete inventory of all items and records must be conducted by a sworn PBP officer who has been appointed by the Chief of Police, or their designee, when there is reason to believe that evidence has been tampered with, or if the evidence custodian has been removed for any irregularities.
- 4.4.11 Unannounced inspections of evidence/property shall be conducted by a sworn PBP officer who has been appointed by the Chief of Police, or their designee, as directed by the Chief of Police.
- 4.4.11.1 The inspection shall be a review of reasonable, representative group of records to ensure compliance with the department's general orders related to evidence/property management.
- 4.4.12 An annual audit of evidence/property held by the agency shall be conducted by a supervisor/commander not routinely or directly connected with control of evidence/property.
- 4.4.12.1 The annual audit shall include selected individual records of a number that are adequate to ensure policy compliance.
- 4.4.13 In no instance shall the inspector/auditor be a member of the Property Room Custodian's chain of command.

#### **4.5 STATE UNCLAIMED PROPERTY DEPARTMENT**

- 4.5.1 The Property Room shall comply with the Pennsylvania's Unclaimed Property Act, 72 P.S. § 1301.2-1301.28a.
- 4.5.2 Property that fits within the criteria of this Act shall be sent in to the State by April 15<sup>th</sup> of each year unless otherwise directed by the State.
- 4.5.3 Receipts will be kept at the Property Room and documentation shall be made in the C.R.I.M.E.S. Database.

#### **4.6 ALLEGHENY COUNTY DISTRICT ATTORNEY ASSETS & FOREFITURES**

- 4.6.1 The District Attorney's Office will perform periodic reviews of older cases for disposition of property seized.

- 4.6.2 The District Attorney's Office will periodically send an Assets & Forfeiture List to the Property Room. This property will be gathered and transported to the DA's Office.
- 4.6.3 Receipts and Court Orders will be kept at the Property Room and documentation shall be made in the C.R.I.M.E.S. Database for any evidence sent to the DA's Office.

#### 4.7 DESTRUCTION OF DRUGS, GUNS AND PROPERTY

- 4.7.1 The Property Room will conduct police destructions and court ordered destructions at an installation approved by their supervisor.
- 4.7.2 The property is gathered and transported by Property Room Personnel to the installation where it is melted or otherwise destroyed in the presence of officers.
- 4.7.3 Court Orders and Police Destructions are kept at the Property Room and documentation is made in the C.R.I.M.E.S. Database.
- 4.7.4 Any property that is under the control of the PBP, that is not evidence, and has not been claimed within one (1) year of receipt by the PBP may be destroyed or disposed of. (*Refer to PBP General Order #37-01, "Lost, Stolen, Abandoned Property" for destruction and disposition guidelines*).
- 4.7.5 The Property Room will only destroy evidence that has been approved for destruction by the DA's Office and/or the Chief of Police.
- 4.7.6 Any evidence or property that is marked for destruction **SHALL NOT** be taken by members of the PBP for their personal use or the personal use of a friend or family member.

Approved By:



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Scott Schubert  
Chief of Police