


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 4.31</p>	<p>Date of Issue</p> <p>2/23/2016</p>	<p>Effective Date</p> <p>2/23/2016</p>	<p>Revision Date</p>
<p>Subject: PROPERTY AND EVIDENCE</p>	<p>Amends:</p>		<p>Rescinds:</p>
<p>Index as:</p> <ul style="list-style-type: none"> General Policies and Procedures Evidence Property 	<p>State Certification Standards: 6.9, 6.10, 6.11</p>		

PURPOSE

The purpose of this General Order is to prescribe the policies and procedures of the Rabun County Sheriff's Office regarding the receiving, storing, processing, and safeguarding of evidence and property and the procedures for the management of property and evidence, centralization of records pertaining to property and evidence and to coordinate the submission of evidence by the employees of the Rabun County Sheriff's Office.

STATEMENT OF POLICY

It shall be the policy of the Rabun County Sheriff's Office that all property and/or evidence seized or recovered by departmental personnel will be properly secured and stored, readily retrievable when appropriate, and will be fully documented to explain all required changes in custody.

DISCUSSION

All individuals have the right to be entitled to due process under current Federal and State statutes regarding any property or evidence seized or taken from them under the color of law by the Rabun County Sheriff's Office. Likewise, the Rabun County Sheriff's Office is expected to make all possible efforts to locate the owner(s) of any found property and evidence located by the Rabun County Sheriff's Office.

DEFINITIONS

CHAIN OF CUSTODY — means the custody of materials and items collected as physical evidence. The connotation, under the law, is that the item or material subsequently into the court must be proven to be the same as that obtained initially and delivered to the laboratory for examination.

COLLECTING DEPUTY — The deputy who initially receives the property or evidence and initiates the chain of custody.

EVIDENCE — Any item, substance, or material obtained, found, or recovered in connection with an investigation that may be used in a criminal, civil, or administrative trial or hearing.

INSPECTION — An inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected. The results of inspections are usually reported to the agency's chief executive officer.

NCIC — The National Crime Information Center.

O.C.G.A. — The Official Code of Georgia Annotated.

PROPERTY OFFICER — The member of the department who is accountable for the control and maintenance of all evidence, property, and records received by the agency or stored in the evidence room.

PROPERTY — Any tangible item or article that comes into the possession of an deputy of the Rabun County Sheriff's Office during the course of his/her normal duties.

17-5-54 O.C.G.A.(a)(1) states the following:

(a)(1) Except as otherwise provided in Code Sections 17-5-55 and 17-5-56 and subsections (d) and (e) of this code section, when a law enforcement agency assumes custody of any personal property which is the subject of a crime or has been abandoned or otherwise seized, a disposition of such property shall be made in accordance with the provisions of this Code section. When a final verdict and judgment is entered finding a defendant guilty of the commission of a crime, any personal property used as evidence in the trial shall be returned to the rightful owner of the property. All personal property in the custody of a law enforcement agency, including personal property used as evidence in a criminal trial, which is unclaimed after a period of 90 days following its seizure, or following the final verdict and judgment in the case of property used as evidence, and which is no longer needed in a criminal investigation or for evidentiary purposes in accordance with Code Section 17-5-55 or 17-5-56 shall be subject to disposition by the law enforcement agency.

I. RESPONSIBILITIES

- A. The Criminal Investigations Division Commander has overall responsibility for the management of the department's property and evidence control function, to include providing appropriate staffing, security, and equipment resources.
- B. The Property Officer shall be responsible for:
 - 1. The day-to-day supervision and operation of the agency's property and evidence facility;
 - 2. Enforcing the property and evidence control procedures outlined below;

3. Training assigned personnel;
 4. Controlling property and evidence stored in the property/evidence repository, lockers and receptacles;
 5. Coordinating the processing of evidence that is submitted to the Georgia Bureau of Investigation Crime Lab or other facilities for evaluation;
 6. Maintaining records pertaining to the receipt, storage and disposition of property and evidence;
 7. Logging all evidence and property into agency records as soon as possible;
 8. Maintaining an inventory of items received and stored; and
 9. Disposing of property and evidence in accordance with established procedures.
- C. The Property and Evidence Officer is also responsible for ensuring that all property and evidence maintained by this department is under the continuous control of the Property and Evidence Section by maintaining the security of the Property and Evidence Room and all storage areas. These measures can include, but are not limited to the following:
1. All storage areas are properly locked when not in use;
 2. All storage areas have restricted access;
 3. All personnel not assigned to the Property and Evidence Section are required to sign into restricted areas; and
 4. Alarms, if installed, are properly set when the Property and Evidence Section is not in use.

II. DESIGNATED STORAGE FACILITIES

- A. All evidence and property taken into custody by departmental personnel will be stored in designated facilities that afford the maximum physical security protection and that limit access to only those authorized while the item is maintained by the agency.
1. Certain items of property or evidence require extra protection, security, and handling precautions. These include money, precious metals, jewelry, and drugs. Such items will be stored in a secure area separate from other evidence and property.
 2. Certain perishable items will require refrigeration. These may include blood and urine specimens. Such items will be stored in a secure area separate from other evidence and property.
 3. Secure storage must also be provided for large items such as bicycles, appliances, and automobiles.
- B. The Property and Evidence Room located at the Rabun County Sheriff's Office is the department's principal location for the storage of all agency property and evidence taken into custody by departmental personnel.

- C. Alternate property and evidence facilities:
1. Whenever the department's Property and Evidence Facility is closed or whenever the Property and Evidence Custodian is not on duty or otherwise unavailable, officers may temporarily store property or evidence, to include blood and urine specimens, at the lockers located at the Sheriff's Office;
 2. When a deputy has collected evidence that is still under his/her control, and is called to respond to another incident, the deputy may temporarily store the evidence in the temporary evidence lockers located at the Sheriff's Office;
 3. Evidence will only be stored in the Rabun County Sheriff's Office evidence lockers temporarily during emergency circumstances or when the Property and Evidence Room is closed;
 4. No evidence will be stored in desks, offices, personal lockers, case files or other unauthorized places;
 5. All evidence will be turned over to the property and evidence custodian or placed in the evidence lockers located at Headquarters prior to the end of the deputy's tour of duty; and
 6. No evidence will be stored at any other location without the knowledge of the Property Officer and/or the appropriate Division Commander.
- D. Large items or amounts of property or evidence (bicycles, lawn mowers, etc.) will be temporarily stored in a secure area at the Sheriff's Office that is restricted to deputies of this department. Such items of property will only be secured in this area until the Property and Evidence Officer is available to obtain the item and store it in a secure location.
- E. Large items or amounts of property or evidence that are too large to be stored in the existing facility may be stored in local warehouses or rental storage units that will be rented upon demand.
- F. Only large items held for condemnation or evidence including but not limited to vehicles, riding mowers, boats will be stored in the vehicle impound lot. Such items will be processed before they are placed in the impoundment lot:
1. The Property and Evidence Officer will be notified whenever large evidentiary items are placed in the impound lot during normal duty hours.
 2. Motor vehicles stored in the impound lot will require an Impounded Vehicle Inventory Form, the keys to the vehicle, an invoice from the wrecker company, and a Property and Evidence Form, which are to be prepared and forwarded to the Property and Evidence Officer by the end of the officer's shift of duty.
- G. In those situations requiring immediate security and storage, the Property and Evidence Officer will be called to open the main repository and immediately process and store the evidence/property. This includes, but is not limited to, those occasions involving large drug seizures, large amounts of money, or large items of evidence, which cannot be accommodated by the lockers at the alternate storage facilities.

H. Access

1. Access to evidence lockers and receptacles shall be strictly limited to the Property and Evidence Officer(s) or others as designated by the Sheriff or his designee(s);
2. Access to the property and evidence room shall be strictly limited to the Property and Evidence Officer(s) or others as designated by the Sheriff or his designee(s);
3. When directed by the Sheriff or his designee(s), a person conducting an evidence audit or inspection will have access to the evidence/property storage area. Also, State Certification assessors may require access to perform their duties. Whenever such access by non-evidence/property personnel is granted, it will be recorded on the Evidence Visitor's Log.

III. PROCESSING OF EVIDENCE (GENERAL)

- A. The Collecting Deputy will ensure that all evidence will be properly identified, packaged and sealed as soon as possible and will be secured BEFORE THE DEPUTY ENDS HIS/HER TOUR OF DUTY at the department's Property and Evidence Room or in the property and evidence lockers located at the Sheriff's Office.
- B. Whenever possible, evidence should be placed in sealed plastic evidence bags with identifying marking placed on the evidence container.
- C. If the evidence is such that a plastic evidence bag cannot be used, a larger or more appropriate bag or container may be used provided it is sealed and properly identified.
- D. Bags or containers should be marked with the same information found on the Rabun County Property and Evidence Form, with the exception of the chain of custody, which will be maintained on the property and evidence form. The collecting deputy will place his/her initials on the evidence tape prior to sealing any bag.
- E. No evidence will be stored in desks, offices, personal lockers; case files or other unauthorized places. All evidence will be turned over to the Property and Evidence Officer as soon after receipt as possible.

IV. DOCUMENTATION OF EVIDENCE

- A. All evidence, regardless of how obtained, will be recorded by the Collecting Deputy, at the time of receipt on a Rabun County Sheriff's Office Property and Evidence Form.
- B. The Property and Evidence Form will be completed fully, including the most accurate description of all items obtained, the source of whom obtained, and/or the circumstances by which the evidence came into the deputy's possession.
- C. In addition to the Property and Evidence Form a copy of the Evidence Submission Form for the Georgia Bureau of Investigation Crime Lab (if needed and appropriate and required) must be submitted with the evidence.

- D. The status of all items, articles or substances will be marked on the Property and Evidence Form as follows:
1. Evidence - to be retained by the Property and Evidence Officer and stored until it is no longer needed for evidentiary purposes as determined by the collecting deputy, case officer or prosecuting attorney;
 2. Property - to be retained by the Property Officer and stored until it is disposed of; and
 3. Crime Lab - to be temporarily stored and secured until it is taken to the GBI Crime Lab by the Property and Evidence Officer or other designated person.
- E. Each deputy handling or processing evidence from the time of acquisition until it is received by the Property and Evidence Officer shall account for its care, preservation and safeguarding while in his/her custody. Each change of custody shall be reflected on the Property and Evidence Form "chain of custody" portion.
- F. The collecting deputy or investigator who receives evidence or property which bears a serial number or other distinctive identifying number will have the number(s) entered into the NCIC stolen property file to determine whether the item(s) is stolen.
- G. Prior to disposing of property bearing identifying numbers, the Property and Evidence Officer will determine through NCIC that the property is not stolen or wanted.
- H. If the NCIC stolen property file indicates that the property is stolen, the Property and Evidence Officer will contact the seizing officer to arrange for the return of the property to the law enforcement agency that originated the entry.
- I. All items or articles that are considered property or evidence will be properly packaged, labeled and identified by the deputy who initially assumes custody of the property. A completed Property and Evidence Form on all property and evidence submitted to the Property and Evidence Officer.

V. RELEASE OF EVIDENCE FOR COURT PURPOSES

When a deputy receives a subpoena for court and believes or knows that there is evidence in the case that is being retained in the Property and Evidence Room on the case, he or she will do the following:

- A. Complete a "Request for Evidence Form" and place it in the Property and Evidence Room mailbox upon receipt of the subpoena;
- B. The Property and Evidence Officer will check the case file and ascertain if any evidence is retained in the case.
- C. If no evidence is being retained in the Property and Evidence Room, the Property and Evidence Officer will complete the form and place it in the officer's mailbox prior to the court date.
- D. If there is evidence retained in the Property and Evidence Room, the Property and Evidence Officer will retain the form and the deputy will retrieve the form and evidence prior to attending court. If the form is not replaced in the deputy's mailbox prior to the court date, the deputy will need to contact the property and evidence officer to retrieve the form and the evidence for court.

- E. The deputy who signs out the evidence will be responsible for the evidence until it is returned to the property room or the evidence is retained by the court for safekeeping.
- F. If the evidence is retained by the court for safekeeping the deputy will need to obtain the person's signature on the "Request for Evidence Form" and place the completed form in the Property and Evidence Office.
- G. If the court does not retain the evidence, the deputy who signed it out is responsible for returning it to the Property and Evidence Officer.

VI. OWNER NOTIFICATION OF PROPERTY

- A. The Collecting Deputy shall make a reasonable effort to determine and locate the rightful owner of the property.
- B. If possible, the deputy should contact the rightful owner or claimant of stolen, lost, misplaced or abandoned property and return the property to them.
- C. In the event the owner cannot be determined, located or contacted and the property cannot be returned, the property will be released to the Property and Evidence Officer for security and disposition.

VII. DOCUMENTATION OF PROPERTY

The accountability, processing, and record keeping of all property not considered evidence will be the same as for evidence.

VIII. STORAGE OF PROPERTY

All property shall be stored in the main Property and Evidence Room **OR** at one of the designated alternate facilities.

IX. RELEASE OF PROPERTY AND EVIDENCE

A. Temporary Release

Property or evidence may be temporarily removed from the Property and Evidence Room for:

1. Transmittal to the Crime Lab for examination;
2. Examination by the prosecuting attorney;
3. Presentation in a trial or hearing; or
4. Release to an deputy to be shown to a victim or possible owner.

B. Permanent Release

Property or evidence may be permanently removed from the Property and Evidence Room for:

1. Transmittal to the Crime Lab for examination and storage;
2. Examination by the prosecuting attorney and storage;
3. Presentation in a trial or hearing and permanent storage;
4. Release to an officer of another department;
5. Return to an owner, victim or other claimant; or
6. Sale, retention for county use, or discarded/destroyed as authorized law.

X. **RELEASE OF FIREARMS**

A. Any firearms turned into property and evidence should be returned only after these basic requirements have been met. This applies to all firearms whether seized as:

1. evidence;
2. safekeeping;
3. found property; or
4. on order of a court device such as a Temporary Protective Order.

In the case of a Temporary Protective Order the subject must provide a copy of the court order releasing him/her from the TPO and authorizing the return of the firearm(s).

- B. Prior to the release of any firearm(s), the Property and Evidence Officer will determine through NCIC that the property is not stolen or wanted.
- C. No firearm will be returned to anyone convicted of a felony criminal offense, a Family Violence Act crime, or currently under a bond order or other court document prohibiting the subject from possessing a firearm.
- D. The subject taking possession of the firearm(s) must provide a photo ID to the evidence officer or deputy releasing the firearm and complete and sign the Return of Property form. A criminal history background shall be conducted on any subject taking possession of the firearm(s).
- E. No firearm shall be returned to a subject who has been involved in a suicide attempt or threat. The subject will be required to apply through the courts system, a court order for the firearm(s) to be returned or have the firearm(s) released to a responsible family member. The subject taking possession of the property in lieu of the actual owner shall be required to produce a notarized letter from the owner authorizing the subject to receive the property.

- F. The deputy releasing the firearms(s) WILL NOT return any ammunition with the firearm(s) and will accompany the subject outside the Law Enforcement Center before turning the firearm(s) over to the subject.

XI. TRANSFER OF CUSTODY

Any member of this department who assumes custody of evidence or property from the Evidence and Property Office will bear full responsibility for ensuring its security, proper storage and maintenance, and for the ready retrieval of such item upon demand.

XII. AUTHORIZATION FOR RELEASE

- A. Property to be released to the owner or other claimant may be released by written authorization from the seizing deputy or case officer, the Office(s) of the District Attorney or Solicitor, or by Court Order.
- B. Evidence may be released only when it is no longer needed for evidentiary purposes. The seizing deputy, case officer or prosecuting attorney shall notify the Evidence and Property Officer as soon as it is determined that evidence is no longer needed for evidentiary purposes and may be disposed of pursuant to State Law and policy.

XIII. DOCUMENTATION OF RELEASE

Whenever property or evidence is either permanently or temporarily removed or released, the Property and Evidence Officer will ensure that all records, documents, property/evidence control records and files reflect the release or removal.

XIV. FINAL DISPOSITION

- A. All property or evidence no longer needed for evidentiary purposes (with the exception of contraband) shall be returned to its lawful owner unless other disposition is directed by court order to the agency. If the lawful owner fails to claim the evidence or property, an application will be made to the Superior Court to dispose of it in accordance to O.C.G.A. 17-5-54 which allows for:
 - 1. Discarding;
 - 2. Sale; or
 - 3. Retention by the department for official law enforcement purposes.
- B. Any property or evidence condemned through either Federal or State asset forfeiture procedures will be disposed of in accordance with Federal instructions or State court order.
- C. Unclaimed currency and the proceeds received from the sale of any personal or tangible property will be transferred to the general fund of Rabun County in accordance with O.C.G.A. 17-5-54.
- D. The final disposition of found, recovered, and evidentiary property is accomplished within six months after legal requirements have been met.

XV. RETENTION PERIODS

- A. Evidence will be retained until no longer needed for evidentiary purposes as determined by the Federal, State, or County prosecution authorities. Evidence will not be disposed of until written authorization is received from the appropriate prosecutor, receiving deputy, or case officer. Such items (except firearms and currency) will be retained for 90 days from the date of the written authorization.
- B. Personal property (except firearms or currency) will be retained for 90 days from the date of its seizure.
- C. Firearms or currency will be held for a period of time of six months from the date of seizure (in the case of property) or six months from the date of written release authorization from the appropriate prosecutor (in the case of evidence), receiving deputy, or case officer.
- D. Any property or evidence condemned through Federal or State asset forfeiture proceedings will be retained until appropriate disposition instructions are received.

XVI. DISPOSITION OF PROPERTY AND EVIDENCE

- A. The Property and Evidence Officer will return all property and evidence (except contraband) to its owner.
- B. If departmental records do not reveal who the owner is or if no prior claim of ownership is made during the retention period, the Property and Evidence Officer will advise the Office of the District Attorney who would make application to the Superior Court requesting:
 - 1. Retention of the property by the Rabun County Sheriff's Office for official law enforcement purposes;
 - 2. Public sale of the item;
 - 3. Discarding the item as other non-serviceable departmental equipment; or
 - 4. Having ownership of monies transferred to Rabun County and the monies placed in to the proper accounts.
- C. All items directed for public sale by the Superior Court will be advertised by the Clerk of Courts Office in the legal organ of Rabun County for a period of four consecutive weeks. The Property and Evidence Officer will be responsible for providing a completing listing of the property.
- D. Any item (except firearms) not claimed by its lawful owner shall be sold by the Evidence and Property Officer at public sale to the highest bidder.
- E. Property not sold after two successive public sales, shall be retained for official use or destroyed as other non-serviceable departmental equipment.
- F. All firearms will be destroyed except for firearms to be used by the Rabun County Sheriff's Office for official use which will have paperwork filed on them in accordance to the current statute law. Nothing in this General Order shall prohibit the Rabun County Sheriff's Office from trading in firearms to an

authorized police supply dealer to obtain equipment that would assist the department in performing its duties.

- G. All contraband shall be physically destroyed by the Property and Evidence Officer.
- H. The destruction of drugs will be accomplished by the Evidence and Property Officer and monitored by a certified peace officer, not in the chain of custody of the drugs.
- I. After the destruction of drugs is completed, the Evidence and Property Officer will certify the destruction on the applicable property receipt indicating the date, time, and location of destruction and the name(s) of those who witnessed the destruction.
- J. Currency
 - 1. All unclaimed currency will be advertised by the Evidence and Property Officer in the legal organ of Rabun County for a period of four consecutive weeks.
 - 2. Any currency not claimed after being advertised in the legal organ and/or any proceeds received from the sale of non-condemned personal or tangible property will be transferred by the Property and Evidence Officer to the Finance Office for deposit into the general fund of Rabun County following the deduction of any legal organ advertising costs.

XVII. RECORDS

The Property and Evidence Officer shall maintain documentation showing the manner in which each item came into the possession of the Rabun County Sheriff's Office, its description, all efforts to locate the owner, any case or docket number, copies of newspaper notices, and the receipt and date of transfer (if sold to the public), method and date of destruction, or disposition as agency property if retained for official law enforcement use.

XVIII. STORAGE AND MAINTENANCE OF PROPERTY, EVIDENCE AND RECORDS

- A. All property and evidence received by the Property and Evidence Officer will be bagged, boxed, labeled, tagged or otherwise identified and stored in a neat and orderly manner within the main property room.
- B. Only evidence officers and the Sheriff or his designee(s) will have access to the keys, combination, alarm codes and/or other security devices.
- C. Property and evidence storage locations will be recorded in the files and on the filed Property and Evidence Forms.
- D. The Property and Evidence Custodian shall maintain a record of all stolen, found, recovered, and evidentiary property and property retained for safekeeping and property stored until it can be properly disposed.

XIX. MONEY AND JEWELRY

- A. Property and evidence such as money, negotiable instruments, precious metals, jewelry and gemstones are to be stored in the security vault separate from other property and evidence.
- B. Currency with no evidentiary value and in excess of five hundred dollars (\$500.00) will be deposited in a special seized funds account and will be released by the Property and Evidence Officer to the administrator of the special account. The only time that money in excess of five hundred dollars (\$500.00) will be stored in the Property Room is when the money is the basis for the charge (i.e. armed robbery, theft by taking, VGCSA).
- C. Whenever currency is seized or obtained by a deputy for submission to the Property and Evidence Officer it will be counted and listed on the Property/Evidence Control Record, witnessed by at least one other deputy or individual and sealed in a plastic evidence bag in the presence of the person witnessing the count.
- D. Unless extraordinary circumstances exist, all currency will be hand-counted and verified by a second hand-count.
- E. If an automated counter is used, the currency will be counted two times and any discrepancy resolved by hand counting.
- F. Access to the security vault shall be strictly limited to the Property and Evidence Officer or to deputies authorized to have access by the Sheriff or his designee(s).

XX. WEAPONS

- A. All weapons turned into the Property and Evidence Officer will be tagged and identified on the tag with the case number, record control number, item number, the date obtained and the name of the owner/victim/suspect.
- B. All weapons will be unloaded and made safe prior to releasing them to the Property and Evidence Officer.
- C. No ammunition will be taken as evidence unless the case requires for it to be seized.
- D. All weapon(s) that are taken into custody will be checked through GCIC/NCIC by the deputy who initially assumes custody of the weapon(s).

XXI. DRUGS AND NARCOTICS

- A. All drugs, narcotics and controlled substances will be placed in sealed plastic evidence bags by the deputy seizing the drugs at the time the substance is seized. The sealed plastic evidence bag will be fully and properly marked for identification by the deputy.
- B. Dangerous drugs, narcotics and controlled substances that require identification will be transported to the GBI Crime Lab by an evidence officer on an as needed basis.

- C. Temporary storage of drugs will be in a locked cabinet or receptacle, separate from other evidence and property until such time as it is transported to the Crime Lab.
- D. Access to the locked drug cabinet will be strictly limited.
- E. Different types of drugs are to be packaged in separate evidence bags and drugs or narcotics will not be packaged with other evidence, property or paraphernalia.
- F. All drugs, narcotics and controlled substances will be strictly accounted for and inventoried.
- G. All large seizures of drugs and narcotics are subject to destruction with the approval of the prosecuting authorities if the department does not have the ability to properly store and maintain the evidence.

XXII. BODILY FLUIDS AND SPECIMENS

- A. Whenever blood, urine, or other bodily fluids are obtained for analysis, they are to be sealed in appropriate containers by the person obtaining the specimens and identified at the time the specimens are taken.
- B. The deputy receiving the specimens shall package the containers in sealed plastic evidence bags and mark the bag for identification.
- C. Bodily fluids are to be released to the Property and Evidence Officer Unit as soon as possible.
- D. Specimens will be stored in the evidence repository, under refrigeration if necessary, and in a separate locked receptacle.
- E. Access to the locked receptacle will be strictly limited.
- F. All bodily fluids and specimens must be marked with a "Bio-Hazard" sticker.

XXIII. PERISHABLE ITEMS

- A. All property and evidence that is perishable in nature will be photographed and then either returned to the owner or destroyed. The deputy who assumes initial custody of perishable items will provide for photographs to be taken prior to disposing of the perishable items.
- B. Any evidence that requires immediate security and refrigeration will be taken to the Property and Evidence Officer as soon as possible or, after normal hours of operation, an evidence officer will be called in to process the evidence.

XXIV. HAZARDOUS MATERIALS

Such items include, but are not limited to; substances which may have been exposed to or contaminated by communicable diseases, hazardous or toxic chemicals, waste products, or explosives or highly combustible products, munitions or poisonous substances. When such items are encountered, the following procedures will be followed:

- A. Only when absolutely necessary will a deputy encountering or finding any type of hazardous material take physical custody of such materials as evidence or property (i.e., syringes). The collection of this type of evidence will only be conducted in accordance with established evidence collection procedures and in accordance with the department's Universal Precautions General Orders;
- B. The deputy who encounters any hazardous material should immediately secure the area surrounding the item for a reasonable and safe distance and ensure that no one enters the secured area unless authorized; and
- C. Contact should then be made with appropriate authorities to dispose or contain the materials.

XXV. JAIL VIDEO TAPES

The Property and Evidence Officer will retain tapes submitted by the Rabun County Detention Center if a criminal offense was committed and recorded.

XXVI. CRIME LAB PROCEDURES

- A. The Property and Evidence Officer will transport evidence requiring processing analysis, examination and identification to the GBI Crime Lab on an as needed basis unless circumstances demand otherwise.
- B. An investigating or case officer may take evidence directly to the Crime Lab in major cases or in unusual circumstances. When a deputy other than an evidence officer transports evidence to the Crime Lab, the transporting deputy will forward the white and yellow copies of the property/evidence control record form and any accompanying documentation to the Property and Evidence Officer Unit upon his/her return or as soon as possible.
- C. A Crime Lab "Evidence Submission" form must be submitted with all evidence taken to the crime lab, including drug or narcotic evidence submitted for identification. Blood alcohol and urine only kits have their own submission forms, which must also be submitted.
- D. An investigative summary or incident report will be submitted with all evidence except drugs or narcotics and blood alcohol or urine kits.
- E. Official reports from the Crime Lab will be available from the Georgia Bureau of Investigation website for officer's use.

XXVII. STATUS VERIFICATION REPORTS

- A. The Property and Evidence Officer will semi-annually send a status verification report, on evidence and property being held, to case officers or collecting deputies.
- B. The status verification report is to be filled out completely by the deputy who receives the request and returned to the Property and Evidence Officer within ten working days.
- C. It is the responsibility of the case or collecting deputy to determine whether the case is pending, closed, cleared or inactive.

- D. The deputy will indicate on the verification form his/her recommendation, concerning the final disposition of the items held in storage based on the following options:
 - 1. Keep as evidence;
 - 2. Keep as unclaimed property;
 - 3. Return to owner; or
 - 4. Dispose of property or evidence.
- E. The Property and Evidence Officer will attach the returned status report, with the deputy's indication of evidence disposition, to the original evidence sheet. On the returned status report and on the original evidence sheet, the evidence custodian will note the action taken to dispose of the evidence; the date the evidence was disposed of and sign the status report.
- F. The Property and Evidence Officer is the individual responsible for destroying items of evidence if so indicated by the case officer on the status report. The destruction of all evidence will be documented on the original evidence sheet and on the status verification report as indicated above.

XXVIII. INSPECTIONS & INVENTORIES

- A. The Property and Evidence Custodian will make an inspection of the Property and Evidence Room quarterly. The results of this inspection will be in writing. This inspection will be conducted to ensure that:
 - 1. Established policies and procedures pertaining to property and evidence control are being adhered to;
 - 2. The facility is being maintained in a neat and orderly manner;
 - 3. Property and evidence is being stored in a secure manner and that proper accountability procedures are being maintained;
 - 4. Property and evidence actually stored in the facility corresponds with the items documented in the property and evidence files; and
 - 5. Items released by the Property and Evidence Officer contain all of the necessary and required documentation.
- B. In the event personnel changes occur involving the Property and Evidence Room, a joint inventory will be conducted by the in-coming and out-going custodians.
 - 1. All records pertaining to evidence and property will be examined to insure that proper documentation and recording have been accomplished;
 - 2. Any discrepancies will be resolved at the time of the inventory; or

3. In the event that proper corrective measures cannot be taken, the discrepancy(s) will be documented and presented to the Commander, Criminal Investigations Division for appropriate action.

XXIX. ANNUAL AUDIT

- A. An annual audit of all stored property and evidence will be performed by an individual not routinely or directly connected with the control of property and evidence.
- B. The Property and Evidence Officer will notify the Commander, Criminal Investigations Division prior to the anniversary date of the preceding audit, to appoint or coordinate the appointment of a "Disinterested Officer" to perform the audit.
- C. The "Disinterested Officer" will be a certified law enforcement officer with the rank of Sergeant or above from any division within the Rabun County Sheriff's Office.

XXX. UNANNOUNCED INSPECTIONS

- A. An unannounced inspection will be conducted at least semiannually by an officer or designee appointed by the Sheriff or his designee(s). Such inspections are in addition to those regularly scheduled inspections and audits.
- B. The purpose of unannounced inspections is to insure that accountability and security procedures are being followed and that the established procedures are being followed.
- C. During the "Unannounced Inspections", a random selection of property and evidence will be checked for accountability, proper records keeping, and proper chain of custody.



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County