

# TYLER POLICE DEPARTMENT GENERAL ORDER: 20.100

	<b>PROPERTY AND EVIDENCE</b>	
	<b>EFFECTIVE DATE: 08-26-1994</b>	
	<b>REVISED DATE: 01-06-2017</b>	
<b>CALEA Standards: 17.5.1; 17.5.2; 17.5.3 84.1.1; 84.1.2; 84.1.4; 84.1.5; 84.1.6; 84.1.8</b>		

20.101 PURPOSE - [CALEA Standards: 84.1.2]

- A. It shall be the purpose of the Tyler Police Department to insure that all property in the department's care, custody, and control is stored, issued, or disposed of according to proper laws and procedures. All Department personnel will adhere to strict measures for security and disposal, insuring that the public has confidence in the department's integrity and efficiency. This General Order and the Property Manual will assure compliance with this purpose.
  
- B. The hereinafter-mentioned [Property Manual](#) is the official manual that pertains to all property/evidence handling, storage, preservation, and disposition according to state laws and city ordinances. This manual is bound by the current General Orders, and will be kept up to date and maintained in the Central Property / Evidence office and other areas for easy reference.

20.102 RESERVED

20.103 RESPONSIBILITIES OF UNIT PERSONNEL – [CALEA Standards: 84.1.2; 84.1.6]

- A. The personnel in the Property Unit are assigned to the [Investigative Division](#) and are to insure that all property is documented and stored in safe, secure, designated areas. This is accomplished as described in the [Property Manual](#) and these processes are checked periodically utilizing a system of audits and/or inspections.
  - 1. An inspection is not meant to be a time consuming task. The inspection is conducted to determine that the property storage rooms / areas are being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that the agency general orders concerning the property management system are being followed, that property is protected from damage or deterioration, that proper chain of custody procedures are being documented

and maintained, and that property is being disposed of in accordance with the law.

2. An audit is a much more thorough accounting of the high risk items under the control of Property Unit. The purpose is to ensure the continuity of custody and not require the accounting of every single item of property but should be sufficient to ensure the integrity of the system and accountability of the property.
- B. The Investigative Division Commander / Assistant Chief or his designee is responsible for conducting thorough semi-annual inspections for adherence to procedures used for the control of property and determines that:
1. Property room is maintained in a clean and orderly fashion.
  2. Agency orders or directives concerning property management are being followed.
  3. Property is being protected from damage and deterioration.
  4. Proper accountability procedures are being maintained.
  5. Property having no further evidentiary value is being disposed of promptly and properly as described in Chapter 7 of the [Property Manual](#).
- C. At least annually, a supervisor not connected with the property/evidence function, selected by the Chief of Police will conduct an audit of the property/evidence files to ensure compliance with proper procedures. The audit will be a significant representative sampling of property including the high-risk items such as currency, jewelry, weapons, and narcotics to ensure the integrity and accountability of the property management system is being maintained.
- D. The Chief of Police will direct an employee not connected with the Property / Evidence function to conduct an unannounced annual inspection of the property / evidence storage areas. The inspection will include but not be limited to the work and storage areas that are to be inspected for cleanliness, orderliness, and safety, and the tracing of a representative sample of items to ensure policies are being followed and the necessary paperwork and location descriptors are noted.
- E. Should a new Property Custodian / Evidence Specialist or immediate supervisor be designated, an extensive audit will be conducted jointly by the newly designated Specialist or immediate supervisor and a designee of the Chief of Police. When possible the outgoing Specialist or immediate supervisor will participate in this audit. A written report will be completed and shall include a representative sampling of all high risk items (i.e. currency, jewelry, weapons, and narcotics) as depicted in the chart below and in accordance with Appendix I of the CALEA Law Enforcement Standards Manual. An error rate that exceeds 4% will require a full inventory of all high risk items. In addition, a random sampling of all non-high risk storage locations will be taken with a minimum of 500 cumulative samples obtained during the audit and included in the report.
- F. The number of items to be accounted for during the joint audit involving Property Custodian / Evidence Specialist or immediate supervisor transfers is based upon the total number of those items designated as being high risk that are held in the Property Unit. The table below will be used to determine the number of high risk items that are to be audited.

Pieces of High Risk Property	Required Sample Size	Pieces of High Risk Property	Required Sample Size	Pieces of High Risk Property	Required Sample Size
100	92	4000	843	8500	948

250	203	4500	863	9000	959
500	341	5000	880	10000	964
1000	516	5500	894	15000	996
1500	624	6000	906	20000	1013
2000	696	6500	917	25000	1023
2500	748	7000	926	50000	1045
3000	787	7500	934	100000	1056
3500	818	8000	942		

20.104 ACCESS TO PROPERTY/EVIDENCE STORAGE BY DEPARTMENTAL PERSONNEL

**[CALEA Standards: 84.1.2]**

- A. The [Property Manual](#) Chapter 3 provides specific guidelines to the access areas.
- B. All property and evidence stored by the Department at the Downtown and Faulkner Park Police Stations will be properly marked, logged, and secured in areas designated for the storage of property. All property shall be submitted to the Property Unit before the end of an employee's tour of duty unless special circumstances exist and prior authorization granted by a supervisor.
- C. Downtown Police Station
  - 1. Central Property shall be located within the Downtown Police Station.
  - 2. The Property Unit Supervisor, the Property Custodian / Evidence Specialist(s), and the Crime Scene Investigator designated by the Chief of Police shall have full access to Central Property; excluding certain areas requiring heightened security {e.g. Currency, Firearms, Narcotics, and Jewelry}. All three positions shall have limited access to the exceptional, valuable, or sensitive (i.e. *High Risk*) storage areas. These areas require a two (2) key system to access; therefore, at least two of the persons / positons noted above shall be present during all entries into these storage areas. Those in the possession of certain keys necessary to access the storage areas shall be at discretion of the Property Unit Supervisor and approved by the Investigative Division Commander / Asst. Chief. Firearms do not require a two (2) key system or the presence of a second person when accessing their temporary holding locker, but the above statements shall apply when being placed into their permanent storage location. This permits the Property Custodian / Evidence Specialist(s) to document the intake of the firearm and ensure it has been made safe prior to final storage. The process also limits the need for unnecessary personnel to be present that are responsible for other essential duties. All other "*High Risk*" items shall operate under a two (2) key system to access both their temporary and permanent storage locations.
  - 3. The Narcotics / Vice Unit Sergeant shall have escorted access to Central Property that is limited to only those areas utilized for the storage of drug evidence. Temporary and permanent narcotics storage areas shall require a two (2) key system to access. The Narcotics / Vice Unit Sergeant shall possess only one (1) key. The Property Unit Supervisor, the Property Custodian / Evidence Specialist(s), and the Crime Scene Investigator designated by the Chief of Police shall possess the second key. All narcotics evidence transported for laboratory examination or destruction shall be done so in a locked container. Only the Narcotics / Vice Unit Sergeant will possess the key to access the drug evidence placed inside the locked container. All narcotics evidence transported for

- examination or destruction shall be documented by the Narcotics / Vice Unit Sergeant to ensure chain of custody adherence / accountability.
4. Excluding firearms, all lockers utilized for the submission and temporary storage of "*High Risk*" property shall be clearly labeled. Firearms {e.g. handguns, rifles, shotguns, etc.} shall be placed in any available locker. All other *non-High Risk* property items shall be placed in any available locker.
  5. The Police Services Coordinator shall have access to the outside area of the supplemental property storage building, Building D. Employees shall have access to the property lockers and packaging room to package property items and access the SIU (Special Investigative Unit) Drug Locker for the submission of evidence. Employees also have access to the exterior property storage lot. A key to access the property storage lot will be housed in Central Property and the Patrol Armory.
  6. Proper logbook entries shall be completed any time department personnel submit property to the designated SIU (Special Investigative Unit) Drug Locker, Currency / Jewelry Locker, Property Lot, or any available general purpose property locker.
  7. The property lockers and outside storage areas (property lot) shall be video recorded 24 hours a day and monitored by Dispatch. Personnel entering the property packaging room shall be tracked by a keycard access point, recording each person entering the room.

D. Faulkner Park Police Station

1. All Faulkner Park storage locates shall be designated as temporary holding locations.
2. The Property Unit Supervisor, the Property Custodian / Evidence Specialist(s), and the Crime Scene Investigator designated by the Chief of Police shall have full access to all temporary storage lockers; excluding certain lockers requiring heightened security {e.g. Currency, Narcotics, and Jewelry}. All three positions shall have limited access to the exceptional, valuable, or sensitive (i.e. *High Risk*) storage lockers; requiring a two (2) key system to access. To maintain proper security over these storage lockers the Community Resource Team Sergeant (stationed at the Faulkner Park station) and any other person designated by the Property Unit Supervisor and approved by the Investigative Division Commander / Asst. Chief shall possess a second key to open the lockers. The CRT Sergeant or the designated person shall be present when the lockers containing currency / jewelry and narcotics are opened and property retrieved. The CRT Sergeant or other designated person shall note their presence in the property logbook.
3. When retrieving currency / jewelry, the Property Unit Supervisor, the Property Custodian / Evidence Specialist(s), or the Crime Scene Investigator designated by the Chief of Police will immediately remove the items from their storage locker with the CRT Sergeant or the designated person present. The property shall immediately be placed into an approved transport container that will be locked without delay. The property will be transported to the Downtown Police Station where it will be immediately removed and placed into Central Property for permanent storage. Once reaching Central Property the same protocol noted in subsection 20.104C(2) shall be followed. Only the Property Unit Supervisor, the Property Custodian / Evidence Specialist(s), and the Crime Scene Investigator designated by the Chief of Police shall have access to the key that unlocks all non-narcotic transport containers. The key shall be housed in Central Property.
4. When retrieving firearm(s), the Property Unit Supervisor, the Property Custodian / Evidence Specialist(s), or the Crime Scene Investigator designated by the Chief of Police will immediately remove the firearm from its temporary storage locker

and inspect it to ensure it is safe. The weapon will then be immediately placed into an approved transport container that will be locked without delay. It is not necessary for the CRT Sergeant or other designated person to be present if only a firearm(s) is being retrieved. The property will be transported to the Downtown Police Station where it will be immediately removed from the transport container, its intake documented, and placed into Central Property for permanent storage. Once reaching Central Property the same protocol noted in subsection 20.104C(2) shall be followed. Only the Property Unit Supervisor, the Property Custodian / Evidence Specialist(s), and the Crime Scene Investigator designated by the Chief of Police shall have access to the a key that unlocks all non-narcotic transport containers. The key shall be housed in Central Property.

5. The Narcotics / Vice Unit Sergeant shall have limited access to the temporary storage locker utilized for the storage of drug evidence. The narcotics storage locker shall require a two (2) key system to access. The Narcotics / Vice Unit Sergeant shall possess one (1) key and the CRT Sergeant and the other designated person noted above shall possess the second key. As previously mentioned the CRT Sergeant or other designated person shall be present and documented in the property logbook when the locker containing drug evidence is opened and property retrieved. Upon retrieving property from the drug locker the Narcotics / Vice Unit Sergeant shall immediately place the evidence into an approved transport container that will be locked without delay. The Narcotics / Vice Unit Sergeant or his designee as approved by the Investigative Division Commander / Asst. Chief shall be the only person to possess the key that unlocks the transport container. The drug evidence shall be transported to the Downtown Police Station where it will be immediately removed from the transport container and placed into Central Property for permanent storage. Once reaching Central Property the same protocol noted in subsection 20.104C(3) shall be followed.
  6. Excluding firearms, all lockers utilized for the submission and temporary storage of "High Risk" property shall be clearly labeled. Firearms {e.g. handguns, rifles, shotguns, etc.} shall be placed in any available locker. All other *non-High Risk* property items shall be placed in any available locker.
  7. Employees shall have access to the property lockers and packaging room to package property items and access the drug locker for the submission of evidence.
  8. Proper logbook entries shall be completed any time department personnel submit property to the designated SIU (Special Investigative Unit) Drug Locker, Currency / Jewelry Locker, or any available general purpose property locker.
  9. The property lockers shall be video recorded 24 hours a day and monitored by Dispatch. Personnel entering the property packaging room shall be tracked by a keycard access point, recording each person entering the room.
  10. All non-narcotics property will be retrieved and transported to the Downtown Police Station on Monday, Wednesday, and Friday of each week. All Drug evidence will be retrieved and transported to the Downtown Police Station on a weekly bases.
- E. Crime Scene Investigators and/or Cross-Trained Crime Scene Officers shall process all evidence placed into the Property Unit when a request for processing has been submitted. This will be accomplished as soon as possible and upon receipt of the request. CSI Investigators and/or Cross-Trained Officers will request the property to be processed from the Property Custodian / Evidence Specialist(s) or the Crime Scene Investigator designated by the Chief of Police. To maintain the chain of custody the person releasing the property and the person obtaining the property shall be documented

in the Property Unit's computer system. During normal business hours, all items that have been processed will be returned in the same manner they were checked-out. Any item checked-out, but is unable to be immediately processed will be returned to the Property Unit in the same manner it too was checked-out. If an item cannot be returned directly to the Property Custodian / Evidence Specialist(s) or the Crime Scene Investigator designated by the Chief of Police it shall be placed in a temporary storage locker.

- F. Property that is too large to be stored in Central Property shall be placed in the Downtown Police Station's outside property lot or inside one of four (4) of the Property Units supplemental storage buildings. When on-duty and available the Property Custodian / Evidence Specialist(s) or the Crime Scene Investigator designated by the Chief of Police will place items in the outside storage buildings based on the property's category. If neither are on-duty or available, the items will be placed according to section 20.104B. Employees shall complete a request form when processing is to be done by the Crime Scene Unit.

#### 20.105 PROPERTY RECORDS – [CALEA Standards: 84.1.5; 84.1.8]

- A. Refer to Chapter 7 in the [Property Manual](#).
- B. Property records will be maintained by the Property Custodian / Evidence Specialists and will reflect the status of all property and evidence stored by the Department. These records will include all records pertaining to seizure, storage, sale, release, and destruction or final disposition of all property and evidence.
- C. Once a case is finally disposed and all property transactions are completed, the documents will be forwarded to Data Management. All records will be kept in accordance with the City of Tyler's Records Management Plan and Retention Schedules.

#### 20.106 PROCEDURES FOR SUBMITTING PROPERTY AND EVIDENCE FOR STORAGE

##### [CALEA Standards: 84.1.1]

- A. Refer to Chapter 4 of [Property Manual](#).
- B. All property and evidence being submitted to the Property Unit will be documented within an incident report. A Property Voucher detailing the property and evidence will also be completed prior to the end of the officer's duty day. No property or evidence will be accepted into the Property Unit until the property and Property Voucher have been reviewed and approved by the Property Custodian / Evidence Specialist.
- C. When submitting narcotics evidence a copy of the completed Property Voucher must be attached to a drug submission form prior to the evidence being submitted. Personnel submitting narcotics evidence at either the Downtown or Faulkner Park Police Stations shall complete their respective property logbook. All narcotics and narcotics related evidence shall be packaged, tapped, labeled, and initialed according to Ch. 4 of the Property Manual.
- D. All personnel submitting non-narcotics property to the Downtown and Faulkner Park Police Station property rooms shall complete their respective property logbooks. All personnel submitting property requiring the use of the outside property lot located at the Downtown Police Station shall complete the storage area's property logbook.

20.107 COMPUTER ENTRY OF PROPERTY/EVIDENCE SEIZED – [CALEA Standards: 84.1.8]

- A. It will be the responsibility of the Property Specialists to make correct entries of the evidence submitted by the Officers.
- B. The Property/Evidence Specialists shall enter the location and final disposition of all property within the Property Units computer system.

20.108 CHAIN OF CUSTODY

Refer to Chapter 4 of the [Property Manual](#).

20.109 RELEASE OF PROPERTY – [CALEA Standards: 84.1.1]

- A. The Property Custodian / Evidence Specialist(s) will release all property that has been placed under the control of the Property Unit during normal business hours of 8:00 a.m. and 5:00 p.m. Items that have not yet been placed in the control of the Property Unit may be released to the confirmed property owner with the approval of an on-duty supervisor who has knowledge of the situation. Items believed to have been stolen and recovered, but not yet submitted to the Property Unit must also comply with [Chapter 47 of the Code of Criminal Procedure](#).
- B. When explaining the property release procedures to a citizen / property owner, departmental personnel will direct the citizen / property owner to call and schedule an appointment with the Property Custodian / Evidence Specialist(s). If a citizen / property owner arrives at the Police Department seeking the release of their property without an appointment the Property Custodian / Evidence Specialist(s) will be contacted regarding their availability. If the Property Custodian / Evidence Specialist(s) is unavailable a property release appointment will be scheduled for a later date and time.
- C. If an emergency or exceptional circumstances should arise requiring the Property Custodian / Evidence Specialist to work overtime regarding the release of property, the Property Unit Supervisor will be contacted. The supervisor will review the situation and determine the necessity of the assignment prior to the overtime being approved. If the property is unable to be released the supervisor will explain the situation to the citizen and inform them that an appointment will need to be scheduled with Property Custodian / Evidence Specialist at a later date and time.

20.110 DISPOSAL OF LOST, FOUND OR ABANDONED PROPERTY

[CALEA Standards: 84.1.1; 84.1.8]

For information regarding the disposal of lost, found, or abandoned property, weapons, munitions, alcoholic beverages, recovered stolen property, drugs/controlled substances, or other forms of evidence, see Chapter 5 of the [Property manual](#).

20.111 AGENCY OWNED PROPERTY – [CALEA Standards: 17.5.1; 17.5.2; 17.5.3; 84.1.2]

- A. Each Division will be responsible for the procurement and requisitioning of all agency owned property within the appropriate Division.

- B. Distribution and issuance of agency owned property to authorized users is a responsibility of each appropriate Division Commander. Procedures for issuing or re-issuing agency owned property to authorized users is as follows:
1. Prior to agency owned equipment being issued to an employee or to a Division within the Department, the appropriate Assistant Chief / Division Commander and Magistrate must approve and sign-off on the equipment transfer. The Property/Evidence Specialist will note the transfer on the property sheet designating that the item(s) have been converted to agency use.
  2. Should an employee resign or otherwise leave employment with the City, all agency owned property is to be collected by the employee's immediate supervisor for submission to the Support Services Division Lieutenant along with an equipment voucher that lists the employee and the description of the equipment being returned.
- C. Agency owned property includes expendable items, installed or uninstalled property, equipment and personal wear items owned or assigned to the agency, vehicles, or munitions.
- D. Accountability for agency owned property is the responsibility of each appropriate Division Commander. Division Commanders or their designee will conduct an annual inventory of all agency owned property under their command arena. Maintaining stored items of agency owned property in a state of operational readiness is the responsibility of each Division Commander.
- E. Each appropriate Division Commander will keep accurate records on all agency owned property pertaining to:
1. Initial cost.
  2. Maintenance and upkeep.
  3. Life of item.
  4. Disposition of property.
  5. Value at time of disposition.
  6. Amount received at time of disposal.
  7. Location of property.
  8. Who property has been issued to.
- F. The Inspections investigator will conduct annual, unannounced audits on agency owned property to ensure security, integrity, and accountability for controlled substances, weapons, or explosives used for investigative or training purposes is being maintained.
- G. All property acquired through the civil process function or asset forfeiture proceedings are accounted for in agency records and are disposed of by the agency pursuant to legal authority. The Investigative Division Commander is responsible for maintaining the agency records regarding seized property converted to agency use. See 20.111(B) for distribution and issuance of agency owned property responsibilities and function.
- H. Personnel requiring the use of any agency owned weapons are required to obtain approval from the Chief of Police through the chain of command before obtaining the equipment from the Property Unit.

20.112 PATROL BARCODE INVENTORY TRACKING SYSTEM – [CALEA Standards: 17.5.1; 17.5.3]

- A. An electronic barcode tracking system is used to track the equipment assigned to the Patrol Division Armory. When personnel need to obtain equipment from the armory, the item will be signed out electronically using the barcode scanner system by the officer or employee. When the equipment is returned to the armory, the equipment will be checked back in by the officer or employee utilizing the same system. If an employee has lost, damaged or broken an item, the employee will notify a supervisor so that an entry can be made into the tracking system that notes the items status. When item is to be downed, the officer or employee will place the downed item in the down equipment box in the armory, so the authorized personnel or supervisor can down the item. When items are placed into service after repair, replacement, or is to be added to the inventory, a supervisor or authorized employee is to make an entry placing the item into the inventory prior to use.
- B. Weekly, a patrol supervisor, designated by the Patrol Division Commander / Assistant Chief, will run a complete inventory status report to make certain that all equipment assigned to the Patrol Armory is accounted for. The supervisor conducting the inventory will attempt to locate any items that are unaccounted for by contacting the person who checked the item(s) from the armory, by checking the downed equipment box, or by other means. If necessary, the supervisor may instruct the person who failed to turn in the equipment prior to going off-duty to return to the Police Department and turn in the equipment. If the supervisor determines that it is not necessary to immediately return the equipment to the armory, the supervisor will make a notation regarding when the equipment is to be returned on the inventory status report that is submitted to the Patrol Division Commander / Assistant Chief. If the supervisor is not able to locate the item(s), the shift commander or acting shift commander will notify the next shift commander or acting shift commander so that the next shift supervisors can continue the attempt to locate the equipment.

20.113 BALLISTIC ANALYSIS

Prior to submitting any firearm and/or recovered spent cartridge case involved in a crime, removed from a suspect, or found, after receipt from the Property Unit, to the DPS Firearm Laboratory for analysis in the Drug Fire Program the assigned investigator must obtain approval from their Chain of Command. If the assigned investigator's Chain of Command approves the examination of the firearm and/or recovered spent cartridge cases by the DPS Firearms Laboratory and no other immediate analysis is required (i.e. latent prints, blood testing, etc.) the evidence will be checked from the Property Unit and transported to the DPS Firearms Laboratory principally by the assigned investigator or a Crime Scene Investigator. A copy of the Property Report and a brief description of the event will be provided to the DPS Firearms laboratory to assist in information logging. The Chain of Custody will be maintained. The purpose description on the Property Report is to indicate Drug Fire Program.

Approved: 04-17-2017



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Chief of Police