



The Aberdeen Police Department Policies & Procedures Manual Chapter Contents



Chapter Evidence and Property

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Chapter 30 Evidence and Property
Section 01 Collection and Preservation of Evidence

GO 19-031, 07/26/2019
Supersedes Original Policy

A. Policy

1. Department personnel shall have access to:
 - a. 24-hour crime scene & evidence collection services; and (83.1.1)
 - b. Procedures for processing and preserving evidence.

B. Definitions

1. **Evidence** – Any item that bears on or tends to prove the points in question.
2. **Evidence, Digital** – Information or data, of value to an investigation, which is stored on, received or transmitted by an electronic device.
3. **Evidence, physical or tangible** – objects, fingerprints, bodily fluids or parts, impressions made on other objects, photographs, etc.
4. **Chain of Custody** – The continuity of custody for items collected as physical evidence. This continuity must be established in order to prove that items or materials offered as evidence during a trial are the same items or materials collected at the crime scene during processing. Use Property Form #6. (83.2.1e)
5. **Contamination** – The undesirable transfer of DNA/biological or other material to physical evidence from another source.
6. **Crime Scene Processing** – The specific actions taken at the scene of a crime or accident; consisting of the taking of photographs, preparing a sketch of a crime or accident scene, and the collection and preservation of physical evidence.
7. **Crime Scene Investigator (CSI)** – The investigator assigned to the Evidence Collection Unit who is responsible for processing a crime scene.
8. **Crime Scene Processor** – The person, either a Crime Scene Investigator or a police officer, who processes a crime scene.
9. **Latent Fingerprints** – Fingerprint left on a surface by deposits of oils and/or perspiration from the finger, not usually visible to the naked eye.
10. **Lifting** – The process of physically removing a latent or visible fingerprint from a surface.

C. Responsibilities at the Crime Scene (83.2.1a)

1. Officers are responsible to maintain the integrity of each crime scene.
2. The first responding officer shall: (83.2.7a)
 - a. Neutralize any threats;
 - b. Care for the injured; then
 - c. Secure the scene; and
 - d. Conduct a protective sweep.
3. Where evidence collection is required, the officer shall promptly request that the Crime Scene Investigator be dispatched.
 - a. The request may be made through Communications.



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4. If the Department Crime Scene Investigator (CSI) is not available, the officer shall request that a Crime Scene Investigator from Havre de Grace Police Department or Harford County Sheriff's Office be dispatched.
5. The officer shall remain at the scene and ensure that the crime scene is protected from contamination until the arrival of the Crime Scene Investigator.
6. Officers who conduct the protective sweep shall notify detectives and the Crime Scene Investigator, upon their arrivals, of plainly visible evidence that can be immediately retrieved as plain view evidence.

D. Evidence Collection and Processing (83.2.1b)

1. The Crime Scene Investigator has the responsibility for collection, preservation, and identification of physical evidence at a crime scene.
2. The Crime Scene Investigator and officers shall use Department-issued and/or Department-approved equipment and supplies to collect and preserve physical evidence. (83.2.4d)
3. Sworn and non-sworn personnel are prohibited from using any personally-owned visual/audio recording device—including features on a personal cell phone—for official Department use to photograph or otherwise record evidence. (83.2.2d)
4. Whenever available, materials and substances will be collected from a known source for submission to the crime lab for comparison with physical evidence collected. (83.3.1)
5. All evidence shall be fully described in the investigator's notes and photographed in place prior to being picked up.
6. All articles of evidence shall be carefully marked for identification, preferably on the article itself, in such a manner that the article is not damaged, and in a way that the identification is permanent.
 - a. Identification shall consist of the investigator's initials or identification number.
7. Investigating officers shall place each item of evidence in an appropriate container, such as paper evidence bags, transparent envelopes, plastic vials or strong cardboard boxes.
8. The officers shall seal the evidence container with a label or tag attached and shall provide the following information:
 - a. Case number;
 - b. Type of case;
 - c. Date and time of finding the article;
 - d. Location at time of discovery;
 - e. Signature of the investigator, who discovered the article; and
 - f. Name of witnesses if any, to the discovery.

E. Sketching or Diagraming the Crime Scene (83.2.1b)

1. The Crime Scene Investigator shall use Department-issued and other Department-approved materials and tools when preparing a crime scene sketch or diagram. (83.2.4c)
2. The CSI's crime scene sketch or diagram shall include but may not be limited to:



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- a. Dimensions:
 - 1) Relationship of the crime scene to other buildings, geographical features, or roads;
 - 2) Location of significant features of the scene, including the victim;
 - 3) Date and time of preparation;
 - 4) Names of the persons preparing the sketch;
 - 5) Directions North;
 - 6) Case number; and
 - 7) Location of items of physical evidence removed.

3. The CSI may prepare rough sketches in the field, recording the information.

4. Then CSI may prepare a final crime scene drawing after returning to headquarters.

F. Crime Scene Photography and Digital Recording Guidelines (83.2.1b) (83.2.2)

1. The Crime Scene Investigator shall use Department-issued cameras and equipment when photographing or digitally recording crime scenes and evidence. (83.2.4b)

2. The CSI shall ensure that all aspects of the scene are photographed.

- a. The CSI should obtain long-range, mid-range and close-up photography of all evidence.

3. The CSI shall take appropriate steps to ensure that photographs and digital recordings are an accurate representation of the scene or evidence. Photographs and digital recordings should be:

- a. Free of distortion;
- b. Material and relevant to the case; and
- c. Unbiased.

4. Photographing

- a. The Scene – The photographer shall take a series of photographs before anything is disturbed, whenever possible.

- 1) Crime Scene photographs should include but not be limited to:

- a) Crime scene location, reference photos, house numbers;
- b) Outside views from all four sides, unless circumstances do not permit photographing from every side;
- c) Entrances and exits;
- d) Interior views from the entrance and from each corner of the room;
- e) Overall views showing all items of evidence;
- f) Close-up views of all evidence;
- g) A second close-up view of evidence with a measuring scale or marker; and/or



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- h) Other photographs as requested by the investigating officer.
 - 2) Traffic Accident photographs should include but not be limited to:
 - a) Accident location;
 - b) Overall view showing all sides of the accident scene;
 - c) Roadway on which accident occurred and nearby roadways;
 - d) All physical evidence at the scene;
 - e) Close-up of all evidence and vehicular debris;
 - f) Secondary close-ups with measuring scale or marker;
 - g) Any contributing cause or factors, such as weather, lighting, road conditions, etc.; and/or
 - h) Other photographs as requested by the investigating officer.
 - b. The Victims – The investigator shall take a series of photographs of the victims, if present, showing locations, injuries, and condition.
 - c. The Evidence – The investigator shall take a series of photographs of each piece of evidence to illustrate where it was found.
 - 1) Evidence Markers and Measuring Scales – the investigator shall take photographs before and after evidence markers or measuring scales are placed.
 - 2) If investigating officers mark new evidence, the investigator shall repeat the whole series of photographs, with the entire piece of evidence and a scale to indicate size.
 - d. At night scenes, or scenes where inadequate lighting is present, the investigator should use appropriate lighting equipment.
 - 5. Digital Recording
 - a. When appropriate or requested by the investigating officer, the Crime Scene Investigator shall make digital recordings at scenes of homicides and other major crimes.
 - b. The investigator shall record the scene or evidence with the volume turned off.
 - c. In special situations, after the first digital recording of the scene without sound is completed, a second walk through can be recorded with the investigator if it is desired.
 - 6. Documenting
 - a. The investigator shall maintain a log, documenting all photographs and digital recordings taken at the scene, which includes:
 - 1) Date;
 - 2) Time;
 - 3) Case Number;
 - 4) Location;
 - 5) Equipment used;



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- 6) Officers' names;
- 7) Description of each photograph and recording; and
- 8) Other pertinent data.

7. The Crime Scene Investigator shall transfer the data from the photographing equipment memory to a hard drive for labeling and storage.

G. Latent Fingerprint Collection Guidelines (83.2.1b) (83.2.3)

1. The Crime Scene Investigator shall use Department-approved equipment and supplies when collecting and processing latent fingerprints. (83.2.4a)
2. Fingerprint Evidence – Visible. The Crime Scene Investigator shall:
 - a. Photograph the fingerprints, whenever possible;
 - b. Protect the surface; and
 - c. Transport the surface to the Department for evaluation, whenever practicable.
3. Fingerprint Evidence – Not Visible. The Crime Scene Investigator shall:
 - a. Process the suspect area with the appropriate supplies;
 - b. Photograph the print when it has been developed;
 - c. Lift the print using the appropriate lifting medium; and
 - d. Place the identifying information such as name, incident number, item processed, date, time, etc., on the lifter or otherwise attached to the fingerprint evidence.
4. If the CSI considers it to be appropriate, the CSI may sketch or diagram the object, identifying the area from which the print was lifted.

H. Seizure of Electronic Data Storing Equipment and Devices (83.2.1b) (83.2.5)

1. Responsibilities
 - a. The Investigator shall turn off computers and devices immediately upon seizure.
 - b. The Investigator shall collect any passwords, codes or Pins from the individuals involved, whenever possible.
 - c. The Investigator shall collect associated chargers, cables, peripherals, manuals, and thumb drives, cell phones, hard drives whenever possible.
2. Seizing Mobile Devices
 - a. The Investigator shall remove the battery from the device, to prevent automatic timers from activating.
 - 1) If the device cannot be turned off, the Investigator shall:
 - a) Isolate the device from its cell tower by placing in blocking material;
 - b) Disable Wi-Fi, Bluetooth or other communications system; and
 - c) Set the device to airplane mode.
 - b. Packaging and Labeling
 - 1) The investigator shall place the mobile device in antistatic packaging only.



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3. Stand-Alone Computers or Devices
 - a. The first responding officer shall first document any activity on all computers, components, or devices by taking one or more photographs and recording any plain view information on the screen.
 - b. Officers may, to determine if a computer is on, move a mouse (without pressing buttons or moving the wheel).
 - c. If a computer is on, the first responding officer shall power down the computer.
 - d. The officer shall notify the supervisor who shall determine whether to notify the CSI investigator for collection.
 - e. Officers may collect into evidence computers that are off and shall use regular evidence collecting procedures.

I. DNA Evidence Collection (83.2.1b)

1. First Responder Responsibilities and Precautions (83.2.7a). The First Responder shall:
 - a. Secure and protect the scene from all nonessential personnel to prevent the loss of evidence;
 - b. Grant access to the scene only to persons directly involved in the investigation; and
 - c. Take special precautions near items of evidentiary value that may contain DNA, or deoxyribonucleic acid.;
 - 1) Avoid, whenever possible, common actions such as sneezing or coughing, or leaning over the evidence may leave trace DNA.
2. The Department Crime Scene Investigator shall use Department-approved equipment and supplies when collecting DNA Evidence.
3. Collection, Storage, and Transportation of DNA Evidence (83.2.7b)
 - a. DNA evidence shall be collected using the MSP Forensic Sciences Division Guidelines for Submitting Physical Evidence.
 - b. The officer collecting the DNA evidence shall notify investigators when DNA is collected.
4. DNA Evidence Collection Training (83.2.7c)
 - a. DNA evidence shall be collected by a CSI, only, who has received training in collecting and preserving DNA samples for analysis, unless exigent circumstances exist and only with supervisor approval.

J. Reports and Documentation (83.2.6)

1. The Crime Scene Investigator shall document on CSU Form 154 - Crime Scene Unit Report the events that transpired at the scene. (83.2.1b)
2. The documentation shall include, appropriately, but will not be limited to, the following elements:
 - a. Date and time of arrival at the scene;
 - b. Location of the crime;



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- c. Name of the victims, if known;
- d. Name of suspect, if known;
- e. Action taken at the scene, including the number of photographs taken, and whether measurements were made (yes or no);
- f. List of physical evidence recovered;
- g. Incident Report number;
- h. Date and time a request for service was received;
- i. Name of the investigating officer;
- j. Disposition of the physical evidence, photos, videos, prints, etc.; and
- k. Crime scene measurement information.



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Chapter 30 Evidence and Property
Section 02 Evidence and Property Submission and Storage

GO 18-080, 10/22/2018
Supersedes GO 18-066

A. Policy

1. All employees of the Department will properly process and secure any property which may have been confiscated or which has otherwise come under their care.
2. Evidence and property (non-CDS) shall be stored securely in the Evidence and Property Room. (84.1.2)

B. Processing

1. The officer shall request the appropriate number of Property Forms from the PCO.
2. The PCO will prepare the requested Form 6 - Property Form with information that will include: (84.1.1a)
 - a. Incident Report Number;
 - b. Date, Time;
 - c. Name of Officer; and
 - d. Name of PCO who prepared the form.
3. The PCO will log the form in the Property Book. (84.1.1a)

C. Form 6 – Property Form

1. The PCO will give Form 6 - Property Form to the requesting officer.
2. The requesting officer will:
 - a. Request a separate Form 6 - Property Form for each known owner;
 - b. List each item separately when feasible and describe each item; (84.1.1c)
 - c. Use another Form 6 - Property Form when more space is needed to list all the items;
 - d. Cross-reference the record numbers on each Form 6 - Property Form;
 - e. Include the tracking numbers or arrest tracking numbers when necessary; and
 - f. Sign the chain of custody portion of the completed Property Form, verifying the officer is in possession of the property. (83.2.1d)

D. Submission to the Evidence and Property Function

1. The officer shall bring the property to the Department and complete Form 6 Property Form before the end of his/her tour of duty. (84.1.1a) (84.1.1c)
2. The officer shall submit the property and Form 6 - Property Form to the Evidence Custodian or will place the property in a secured temporary property locker before the end of his/her tour of duty. (84.1.1b) (84.1.3)

E. Incident Report Required

1. The officer shall detail the circumstances in the Incident Report by which the evidence or property (all items over \$250 and firearms) came into the Department's possession. (84.1.1c)

F. CAD Narrative Required, Incident Report Not Required

1. All evidence and property individually valued under \$250 dollars shall be detailed in the CAD narrative.



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2. The officer shall write in the CAD narrative:
 - a. The description of the evidence and property;
 - b. The reason there is no incident report (The item(s) is/are under \$250 dollars); and
 - c. The circumstances by which the item came into the Department's possession.

G. Seized or Recovered Tags (License Plates) and Driver's Licenses

1. The officer will place the tag and driver's licenses in the designated, secured container with the MVA printout (registration) attached.
2. The officer will fill in the Tags and Licenses Log:
 - a. Officer's name and ID;
 - b. Date;
 - c. Tag or Soundex number; and
 - d. Reason for seizure or recovery.
3. The Traffic Corporal will have authority to access the contents of the container and will return the tags and licenses to MVA.

H. Found or Abandoned Property (84.1.1f)

1. Officers will attempt to notify the owner, if an owner can be determined, that his/her property is being held and the procedures by which it can be released.
2. If an owner is located, the officer may return the property to the owner directly.
3. If an owner cannot be located nor determined, the officer will:
 - a. Notify Communications that the owner cannot be located; and
 - b. Bring the property to the Department for submission.

I. Firearms, Found

1. The officer shall attempt to identify ownership by searching METERS/NCIC and ATF and/or checking the wanted status on the firearm.

J. Firearms, Seized (84.1.8)

1. The officer will:
 - a. Print out the METERS/NCIC, ATF, or any other search documents showing that ownership was determined or not; and
 - b. Submit the printout and Form 6 - Property Form with the firearms.
2. The officer will:
 - a. Remove the magazine;
 - b. Remove the rounds; and
 - c. Package the firearm and rounds separately.

K. Monies

1. Seized Monies (84.1.8)



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- a. The officer shall complete a separate property record for each person from whom money is seized.
 - b. The Form 6 - Property Form shall include the name and address of:
 - 1) The individual from whom the money was seized; and/or
 - 2) Any individual who claims the money; or
 - 3) All individuals present, if the money is in "constructive" possession of individuals and no one person claims the money; and
 - 4) Additional information, if any names, addresses, etc.
 - c. The officer shall complete Form 8 - Confiscated Cash Form.
 - d. The officer shall place a copy of the completed Property Form, Confiscated Cash Form, and the money in a property envelope and place it in the CDS bin. (84.1.1e)
2. Found Monies Not Classified as Evidence or Subject to Forfeiture
- a. If the officer can identify the owner, the officer will return the money to the true owner or authorized representative as soon as possible.
 - b. If the officer cannot identify the owner and cannot return the money, the officer shall treat the monies as found property.
 - c. The Form 6 – Property Record shall include but not be limited to:
 - 1) A description of where the money was found;
 - 2) The person who found the money; and
 - 3) The dollar amount including number of bills and coins, with denominations of each.
 - d. The officer shall place the money and form in a property envelope and place the envelope in an evidence locker.

L. Hazardous Materials

1. The officer shall not handle the hazardous materials.
2. The officer shall notify the CID lieutenant or designee if the Department must have the hazardous materials as evidence in a criminal investigation or other compelling reason to keep the hazardous materials in Department custody.
3. The officer shall remain with the hazardous materials until disposition and chain of custody (if needed) are in process.

M. Hypodermic Syringes & Needles (Hazardous Paraphernalia)

1. The officer will photograph paraphernalia where the officer first discovered it, whenever possible.
2. The officer will seize the syringes and needles and insert them into a Sharps container.
 - a. If the needle was recovered uncapped, insert needle point down without bending, cutting, snipping off, or, in any way tampering with the needle.
 - b. If the needle was recovered capped, insert the needle, still capped, in the Sharps container.



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3. When the container is reasonably full, the officer will:
 - a. submit the container to the Aberdeen Volunteer Fire Department for proper disposal; and
 - b. obtain a replacement container from the Administrative Lieutenant.

N. Controlled Dangerous Substances (CDS) and CDS-Related Evidence (84.1.1d)

1. Packaging CDS
 - a. The officer shall leave the evidence in the original package as it was seized, unless the officer is taking a random sample.
 - b. If the evidence was not seized in a package or container, and if the officer personally packaged them, the officer shall place the evidence in the package so that it is visible, if possible.
 - 1) Do not staple the polyester pouch, except on the outside pre-sealed edges.
 - 2) Do not put loose material in the polyester pouch.
 - 3) If there is more than one (1) item, the officer may package the items separately to avoid cross contamination, and then place them in the pouch.
 - 4) Attach the case information label on the same side as the heat seal, with the heat seal to the right of the label.
 - 5) The officer will initial the heat seal using an indelible/permanent marker.

O. Oversized Evidence or Property (84.1.3)

1. Evidence too large to fit in the secured evidence lockers
 - a. The officer will notify the Property Custodian, who will come into the station and place oversized items in the CDS process room until the Property and Evidence Room can be opened during business hours.
2. Vehicles Evidence or other Evidence too large to fit in the CDS process room.
 - a. The officer will have the evidentiary vehicle or other evidence transported to a secure facility at the Harford County Sheriff's Office or other appropriate secure facility or agency.
3. Oversized Found or Abandoned Property
 - a. The officer will place in City storage facilities non-evidentiary property such as bicycles, riding or push-type lawn mowers, mopeds, or any other large item difficult to store in the Property Room, whether the owner is known or unknown.

P. Storage

1. All in-custody and evidentiary property is stored within designated, secure areas with access limited to authorized personnel. (84.1.2)
2. Weapons will be stored in secured lockers inside the Evidence and Property Room. (84.1.1e)
3. High value items such as precious metals, gemstones, and jewelry will be securely stored in a safe in the Evidence and Property Room. (84.1.1e)
4. Control Dangerous Substances will be stored in a separate, secured room. (84.1.1e)



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Chapter 30 Evidence and Property
Section 03 CDS Collection and Storage

GO 18-025, 03/29/2018
Supersedes GO 17-019

A. Policy

1. All employees of the Department will properly process and secure any CDS (Controlled Dangerous Substance) evidence which may have been confiscated or which has otherwise come under their care.
2. CDS evidence and property shall be stored securely in the CDS Evidence Room. (84.1.2) (83.2.7d)

B. Documenting CDS Submissions

1. The officer shall bring the CDS to the Department and will immediately complete MSP Form 67 Maryland State Police Request for Laboratory Examination-Chain of Custody Log for any CDS or suspected CDS, regardless of amount, or any other evidence that will require laboratory analysis. (84.1.1a)
2. Completing MSP Form 67
 - a. The officer will print legibly, and check all five copies to verify the information shows clearly on every copy.
 - b. List the items on MSP Form 67 in a descending order of importance. (84.1.1c)
 - c. The suspect's names: Alias/A.K.A. names are permitted.
 - d. Enter only one (1) defendant on the form unless it is a constructive possession incident.
3. The Supervisor will review and sign MSP Form 67, and will initial the CDS package label.
4. The officer will document in the incident report the circumstances by which the property came into the Department's possession. (84.1.1c)

C. Submission to the CDS Evidence Function

1. The officer shall, before the end of his/her tour of duty, place the CDS with MSP Form 67 in the CDS bin. (84.1.1a) (84.1.1b) (84.1.3)

D. CDS Evidence Room Access (84.1.1e)

1. Access to CDS Evidence is limited to authorized personnel.
2. Authorized CDS Evidence Room key holders:
 - a. CID Commander
 - b. Evidence Custodian
3. The Evidence Custodian and the CID Commander shall be accompanied by another Department employee every time the Custodian or Commander is in the CDS Evidence room.
 - a. The accompanying employee shall sign the CDS Property Room Access Log every time.
 - b. The selected accompanying employee will be a different person each time, whenever possible, to protect the integrity of this process.



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Chapter 30 Evidence and Property
Section 04 Laboratory Submission

GO 18-057
Supersedes GO 15-017

A. Policy

1. The Department shall submit evidence for analysis to a certified crime laboratory.

B. Packaging and Submitting the Evidence

1. The investigating officer shall package the evidence according to the receiving laboratory's guidelines. (83.3.2b)
 - a. See MSP (Maryland State Police) Forensic Sciences Division *Guidelines for Physical Evidence*.
2. The CDS Evidence Custodian is responsible for submitting the CDS evidence to the laboratory. (83.3.2a)
3. The Custodian shall submit the evidence with MSP Form 67 Request for Laboratory Examination-Chain of Custody. (83.3.2c)
4. The Chain of Custody (83.3.2d)
 - a. The Evidence Custodian shall have the person receiving the evidence sign and date the Chain of Custody portion of Form 67.
5. Items which require special handling such as biological materials, bulky items, firearms, drugs, etc., may require the CDS Evidence Custodian to:
 - a. Contact the laboratory, and
 - b. Receive and follow instructions about packaging and delivery from the laboratory.

C. DNA Evidence (83.2.7d)

1. The investigating officer shall package the DNA evidence using the MSP (Maryland State Police) Forensic Sciences Division *Guidelines for Submitting Physical Evidence*. (83.3.2b)
2. The CDS Evidence Custodian or a designated officer will transport the DNA evidence to the laboratory with all laboratory-required documentation including: (83.3.2b) (83.2.7c) (83.3.2d)
 - a. MSP Form 67 Request for Laboratory Analysis and Chain of Custody,
 - b. MSP Form 234 Biohazard label attached to the form, and
 - c. Other reports the receiving laboratory may require.

D. Evidence Returned from Crime Laboratory

1. The Department shall receive all laboratory results in writing. (83.3.2e)
2. After analysis, the CDS Evidence Custodian will pick up the evidence, with MSP Form 67, from the Laboratory. (83.3.2d)
 - a. MSP Form 67 Request for Laboratory Analysis and Chain of Custody
 - 1) One signed copy will be retained by the Laboratory;
 - 2) The original form will remain with the evidence; and
 - 3) The original form will be maintained according to the Department Retention Schedule.



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Chapter 30 Evidence and Property
Section 05 Releasing or Disposing Property

GO 17-011, 08/29/2017
Supersedes GO 16-029

A. Policy

1. The Department is charged with the responsibility of safeguarding property and should take steps based on the circumstances of each release to ensure, to the best of its ability, that property held by the Department is released to the rightful party.
2. Final disposition of found, recovered, seized, and evidentiary property will be accomplished within six (6) months after legal requirements have been satisfied. (84.1.7)

B. Property and Evidence Categories

1. Evidence CDS (Controlled Dangerous Substance) – After CDS evidence is no longer needed for legal purposes, the CDS shall be destroyed separately from other property.
2. Evidence Money – Lawfully seized money as evidence for forfeiture, that cannot be readily returned to the owner will be submitted to the City Treasurer, and will not be stored in the Property and Evidence Room.
3. Prescription Drug Take Back Program CDS – Unwanted prescription medications collected from citizens shall be destroyed.
4. Evidence other than CDS or money – After lawfully confiscated property is no longer needed for legal purposes, the owner may claim it if lawfully authorized.
5. Found Property – If there is no known owner, it will be disposed of, appropriately.

C. Notification

1. The Evidence Custodian will identify, locate, and notify the owner of the property.
2. If the owner cannot be located after reasonable search attempts, the Evidence Custodian shall document on the Property Form:
 - a. Dates and details of the search for the owner;
 - b. Notation that owner could not be located;
 - c. Notation that property is unclaimed; and
 - d. Notation that property will be disposed.
3. The Evidence Custodian may notify the owner by telephone, telling the owner how to claim the property.
4. The Evidence Custodian will send a letter, return receipt requested, to the owner's last known address, if the owner cannot be contacted by telephone. The letter shall include: (84.1.1f)
 - a. Date stored;
 - b. Property record number;
 - c. Incident Report Number;
 - d. Last date that the property may be claimed;
 - e. Location and times where the property may be claimed; and
 - f. Required identification and proof of ownership (may vary with types of property).
5. The Evidence Custodian will attach a copy of the letter to the Property Form and will document all attempts to contact the owner and the results of contact.



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GO 17-011, 08/29/2017
Supersedes GO 16-029

6. If the owner does not respond within 30 days, the Evidence Custodian will treat the property as unclaimed.

D. Release Prior to Submission

1. An Officer may release property that was in the officer's custody to someone before the property was submitted to Evidence and Property.
2. The officer shall document how the officer came into custody of the property and the circumstances of the property's release.

E. Release to Rightful Owner (84.1.1g)

1. The Evidence Custodian may release the property to the rightful owner after all evidentiary use of the property is satisfied and/or the officer who submitted the property has approved the property for release.
2. The Evidence Custodian shall document the required proof of ownership, identification, or other circumstances that justified release to the person.
3. The Evidence Custodian may require substantial documentation before releasing the property to a third person. Forms of authorization may be:
 - a. A notarized letter from the owner;
 - b. A court order as in the case of divorced spouses, judgments, incarcerated individuals;
 - c. Legal documents as in the case of wills, power of attorney, writs of replevin; or
 - d. The person's ability to specifically identify the item(s), i.e., engravings, identification markings, serial numbers, insurance photographs, etc.

F. Unclaimed or Abandoned Property (84.1.1g)

1. After 30 days of written notification, the Evidence Custodian shall dispose of unclaimed property within the next 6 months.
2. The Evidence Custodian may release the property to the person who delivered the property to the Department, Department personnel excluded.
3. Department employees are prohibited from converting to their own use or have any claim to any evidence, or lost, mislaid, recovered, or other property.

G. Property Disposal (84.1.1g)

1. When any property is removed from storage for destruction, the Evidence Custodian shall verify the destruction and record the destruction in the Property Log.
2. When property is released for disposal, the Evidence Custodian shall:
 - a. Fully complete the release portion of the original and have it signed by the person receiving the property;
 - b. Verify the disposal;
 - c. Record the disposal in the Property Log; and
 - d. Maintain the original Property form and any supporting documents in the Property File.

H. CDS Disposal

1. The CDS Evidence Custodian is responsible for CDS Disposal.



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2. The CDS Evidence Custodian and the Administrative Lieutenant will jointly document and package the CDS to be destroyed; then they will:
 - a. Load the packages into a Department vehicle;
 - b. Transport the packages to the disposal site; and
 - c. Witness the destruction of the CDS.

I. Official Use of Property of Known Ownership

1. Property released to the Department by a court order may be converted to Department property.
2. The officer shall submit a written request, with photographs of the property attached to the request, through the chain of command to the Chief of Police.
3. The Chief of Police may approve or disapprove the request.
4. If the request is approved, the Evidence Custodian shall attach to the Property Form a copy of the approval and submit the property to the Administrative Lieutenant who will add the property to the Department capital inventory.

J. Evidence Temporarily Removed from Property and Evidence Rooms

1. Officers shall use the Chain of Custody form whenever any property or evidence is placed into or removed from the Property and Evidence Rooms.
2. CDS or Other Property for Use as Canine Training Aids (84.1.4)
 - a. The Canine Officer shall submit a request through the chain of command to the Patrol Lieutenant, who will submit the request to the CID Lieutenant.
 - b. The CID Lieutenant will notify the appropriate Evidence Custodian.
 - c. Upon approval, the Evidence Custodian and the Canine Officer shall prepare the Chain of Custody form, indicating:
 - 1) Amount;
 - 2) Weight;
 - 3) Type of property; and
 - 4) Any other details to identify the property
 - d. The Evidence Custodian will release the training aids to the Canine Officer.
 - e. The Canine Officer shall:
 - 1) Use the property as Canine Training Aids, only;
 - 2) Securely store and maintain the training aids until they are no longer useful for training, and
 - 3) Return the unusable training aids to the Evidence Custodian, with the Chain of Custody form properly completed.



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Chapter 30 Evidence and Property
Section 06 Seized Personal Property

Original Policy

A. Authority

1. Maryland Annotated Code, Criminal Procedure, Title 12, as amended from time to time, provides for the seizure and forfeiture of property of any kind which is used or intended for use in drug trafficking and all property that has been bought with drug money.

B. Policy

1. It is the policy of the APD to seize and forfeit property of any kind which is used, or intended for use; in drug trafficking and all property which has been bought with drug money.
2. Additionally, the APD will sell, any and all, forfeited property (other than motor vehicles) at public auction or otherwise dispose of the property in accordance with existing law.

C. Seizure of Personal Property Other than Motor Vehicles

1. Personal property other than motor vehicles shall be seized whenever there is probable cause to believe that:
 - a. the property was purchased with drug money; or
 - b. the property is equipment used to facilitate drug trafficking, its manufacture, distribution, or possession.
2. Race or ethnicity of the owner will not be a factor in determining probable cause. The value of the property will not be the sole factor in deciding whether it should be seized.
3. Probable Cause - the totality of circumstances which would lead a reasonable law enforcement officer to believe that property was purchased with drug money or is otherwise forfeitable.
 - a. A circumstance which tends to show probable cause is that the property was acquired by its owner during a period in which the owner was distributing drugs and that there was no other likely source of money other than the proceeds from the illegal drug dealing or the expensive purchase price of the property combined with the relatively low income of the claimant.

D. Reports - Contents - Routing

1. Once property has been seized for possible forfeiture, the reports relating to the seizure will be immediately forwarded to the CID Supervisor for review.
 - a. After review of the reports by the CID Supervisor and the State's Attorney's Office, if it is decided that forfeiture is warranted, forfeiture proceedings will be initiated.
2. In cases where forfeiture proceedings are not initiated, the CID Supervisor will ensure that the property is released according to APD policy.

E. Conversion of Property

1. Prior to disposing of any forfeited personal property, the CID Supervisor will prepare a list of all such property and submit the list to the Operations Captain.
 - a. Only property so designated by the Chief of Police is to be converted to APD use.
2. The CID Supervisor will deliver and transfer converted property to the Administrative Captain along with a copy of the approved request for conversion.
3. The original Property Form shall be closed by the CID Supervisor and forwarded to the Evidence Custodian.