



**CITY OF AKRON, OHIO**  
**POLICE DIVISION**  
**KENNETH R. BALL II, CHIEF OF POLICE**

|   |  |  |
|---|--|--|
| <b>NUMBER</b><br>P-2020-039                       | <b>EFFECTIVE DATE</b><br>February 20, 2020 | <b>RESCINDS</b><br>P-2019-039 Issued 12-04-2019      |
| <b>SUBJECT</b><br>Evidence and Property Procedure |  | <b>ISSUING AUTHORITY</b><br>Chief Kenneth R. Ball II |

**I. POLICY**

Officers will adhere to the guidelines for submission of all property in order to maintain the integrity of evidence and for the safekeeping of found property.

**II. DEFINITIONS**

- A. Destination Location – Where the package will be located immediately after being entered into the system as determined by the officer submitting the evidence.
- B. Evidence/Found Property (EFP) – A template for grouping packages of property and all related owners, finders, victims, arrested, and officers.
- C. EFP Report Number – [two digit year]-[two digit month]-[two digit day]-[four digit unique identifier]
- D. Final storage destination – Property Room and/or any off-site storage facility.
- E. Individual – Any person other than Akron Police personnel, government entity, or business.
- F. Package – Grouping of individual items of property.
- G. Property – Individual item. No more than five property items can be placed in one package.

**III. PROCEDURE**

A. The officer who first takes possession of any evidence or found property is responsible for the proper submission of the item in custody.

**B. EVIDENCE/FOUND PROPERTY REPORT**

- 1. An EFP report must be completed in all cases where property is accepted. All reports will be electronically submitted through the SafetyNet Intranet EFP application.
- 2. In all cases EFP reports will receive an Incident Report number. However, an Incident Report may not be required.

3. Property to be used as evidence will be specifically labeled as such. Property not being used as evidence will be labeled as found.
4. Any unknown information shall be left blank.
5. All packages must have a predetermined destination location. Ideally, two main destinations should be used, the Property Room and the Detective Bureau Vault. When the property or evidence reaches its destination location, on duty personnel will accept the package by entering their personal login code thereby taking responsibility for the package. It is up to the submitting officer to make sure the property has been properly accepted. The following are the only destination locations for property:
  - a. Crime Scene Unit- Submitting officer must confirm that the package has been accepted by on duty personnel.
  - b. Detective Bureau Vault – Submitting officer must confirm that package has been accepted by on duty personnel.
  - c. Property Not Withheld – Submitting officers wishing to document property that was returned to the owner at the scene or in the field.
  - d. Property Room – Submitting officer must confirm that the package has been accepted by on-duty personnel. This location can only be used when the Property Room is open.
  - e. Sally Port Holding Cells – The submitting officer takes responsibility for accepting storage of packages into the sally port holding cells. The key to the sally port holding cells is located at the Information Desk. This location is used for tagging found ammo, fireworks, bicycles, and large oversized items. Packages should not be left on the loading docks unless an oversized item will not fit in the holding cell. All property put in the sally port holding cells must have an evidence label attached to the property.
  - f. Seizure Garage – The facility where the Crime Scene Unit processes vehicles. The submitting officer takes responsibility for accepting storage of packages into the seizure garage.
  - g. Tow Yard – The submitting officer takes responsibility for accepting storage of packages to the tow company. The tow company must be listed in the General Remarks section of the EFP report.
6. All evidence and property must have an evidence label attached to the item. All evidence and property brought to a destination location is to be inspected by the on duty personnel to insure that this procedure is being followed. Any item not properly submitted will not be accepted and must be corrected by the submitting officer.

7. If an item may be subjected to additional testing at BCI, indicate in the notes section of the property information how it is packaged. i.e. plastic sleeve, manila envelope, brown paper bag, cardboard box, etc...

#### C. PROPERTY RECEIPT FORM AND BCI SUBMISSION FORMS

1. A Property Receipt Form is to be issued to anyone turning in any found property they will want to recover, property that will be held for safekeeping or personal property refused by Summit County Jail. The receipt will be made in duplicate, with one copy issued to the finder or owner and one copy placed with the property.
2. The Property Receipt Form is the only document that needs to accompany the property or package. All report information will be kept in the Safety Forces Network Database.
3. BCI Submission Reports are to be submitted to the Pawn Detail.

#### D. PACKAGING EVIDENCE AND FOUND PROPERTY

1. Due to limited storage space, property should be packaged as small as possible without altering the package label, allowing enough excess packaging material to facilitate opening and resealing the package for analysis.
  - a. Heat-sealable plastic pouches or plastic sleeves are the preferred method of packaging property. Once the property is placed in a pouch or sleeve it is the officer's responsibility to verify that all sides of the package are secured. The officer should then initial the heat-sealed area of the package. The EFP label should be affixed to the package.
  - b. Property going to BCI for DNA testing should first be placed inside paper envelope or paper bag then sealed. If an item is an unknown chemical substance or drug packaging, it should be placed in a plastic pouch or sleeve after being placed in an envelope or paper bag.
  - c. Items unable to be heat-sealed in plastic should be secured in paper bags, property envelopes, or cardboard boxes then sealed with approved packaging tape and initialed. The EFP label should be attached to the package.
  - d. Large items may be submitted by attaching a property envelope using string or nylon tie bands. An EFP label must be affixed to the envelope. EFP labels may be affixed to a large item as long as the label will adhere. Large articles should be placed in the sally port holding cells with the doors locked. No evidence is to be left unsecured on the loading dock unless it will not fit in the holding cell. A key to the holding cells is available at the Information Desk.
2. Any evidence or found property that is wet, damp, or otherwise contaminated by any moisture source must be dried prior to packaging. The only exception to this is when the moisture source is evidentiary. Evidence or property (such as clothing or bedding)

that requires extended drying time beyond the end of the officer's work shift will be entered into the EFP by the recovering officer and dried at a secure location.

- a. Evidence or property, which is wet from water, must be taken to the 10<sup>th</sup> floor for drying. The officer placing evidence or property in CSU for drying will be held responsible for proper packaging of the property and placing such items in the Detective Bureau vault or Property Room as soon as it is dry.
- b. Evidence or property which is wet from bodily fluids shall be marked as a biohazard and must be taken to CSU for drying.
  - 1) The officer placing property that is not evidence and is contaminated by bodily fluids in CSU for drying will be held responsible for proper packaging of the property and placing such items in the Detective Bureau vault or Property Room as soon as it is dry.
  - 2) The Crime Scene Unit detective accepting any evidence contaminated by bodily fluids will determine whether the recovering officer or CSU will be responsible for proper packaging of the evidence. If the responsibility to package the evidence falls to CSU, then no follow-up is required by the officer. If the responsibility falls to the officer, that officer will be held responsible for proper packaging of the evidence and placing such items in the Detective Bureau vault or Property Room as soon as it is dry.
- c. Evidence or property which is wet from nonflammable chemical hazards (bleach, pepper spray, etc.) must be taken to the seizure garage for drying. The officer placing evidence or property in the seizure garage for drying will be held responsible for proper packaging of the property and placing such items in the Detective Bureau vault or Property Room as soon as it is dry.
- d. Evidence or property, which is wet from flammable chemical hazards (gasoline, alcohol, etc.) will not be dried in the police station for safety reasons.
  - 1) Evidence or property, which is wet from flammable chemical hazards, must be taken to the seizure garage for drying if the moisture source is **not** evidence. The officer placing evidence or property in the seizure garage for drying will be held responsible for proper packaging of the property and placing such items in the Detective Bureau vault or Property Room as soon as it is dry.
  - 2) If the moisture source **is** evidence, then the evidence or property item must **not** be dried and must be treated as a flammable liquid for packaging. Contact a CSU detective for a proper container and storage directions.
- e. Evidence or property of a compressed gas nature (propane tanks, etc.) must be taken to the bicycle storage facility. Property Room personnel must be called in to unlock the facility. Phone numbers are available on the APD Daily Bulletin page under APD Personnel.

4. Small amounts of marijuana that have not been dried out can be packaged in ventilated paper bags and accepted at the DB Desk or Property Room.
5. Narcotics or SNUD detectives must be contacted for larger amounts of marijuana that need to be dried out before packaging.

#### E. PROPERTY GUIDELINES

##### 1. Firearms

- a. All firearms, when possible, shall be rendered safe and open by the submitting officer. This shall be accomplished with the use of nylon tie bands that are available in the Detective Bureau and Crime Scene Unit. The use of evidence gloves is recommended when handling firearms in order to preserve DNA or latent evidence.
  - 1) Semi-automatic pistols: The tie band shall be inserted through the magazine well and ejector port.
  - 2) Revolvers: The tie band can be inserted through an empty chamber on the open cylinder, wrapped around the frame of the firearm, and secured. On some revolvers it may be necessary to remove the cylinder and secure it to the frame with the tie band.
  - 3) Rifles and shotguns: The tie band can be inserted through the receiver and ejector port, around the bolt and stock or whatever method is deemed most effective.
  - 4) In order to preserve the ballistic characteristics of a firearm, under no circumstances shall the nylon tie band or any other object be inserted through the barrel of a firearm. Nothing should ever be placed into a firearm that can come into direct contact with the firing pin or mechanism.
- b. When an officer is unable to render a gun safe, a department armorer or Training Bureau personnel will be notified immediately to respond to his location to render the weapon safe. If the weapon is still unable to be rendered safe the weapon will be placed in a white cardboard gun box and secured with plastic ties. The outside of the box shall then be clearly marked in several places indicating that the weapon is possibly loaded. The submitting officer will make sure the accepting officer is aware the gun may be loaded before handing over the gun. This will be done prior to placing the firearm in the DB vault or taking to the Property Room.
- c. A magazine or ammunition found in the weapon when it is collected shall be packaged with the weapon. The magazine, if applicable, and the ammunition shall be removed from the weapon prior to tagging and sealed in a separate compartment in the plastic sleeve or secured in the gun box. It is not necessary to remove

ammunition from the magazine. All holsters, cases, boxes, or other miscellaneous containers shall be packaged separately. No firearm should be packaged inside a case, box, or container other than a designated evidence box.

- d. All firearms shall be packaged and submitted in one of two ways:
    - 1) Heat-sealed in a clear plastic sleeve or pouch is the preferred method and shall be used for firearms that are dry and not contaminated. Affix the EFP label on the plastic in a way as to not inhibit the reading of the firearm serial number.
    - 2) White cardboard gun boxes or rifle boxes. This method shall be used for firearms that are wet, contaminated, or must be processed for latent evidence or DNA. If possible, place the firearm in the box with the serial number visible.
  - e. Under no circumstances will a firearm ever be placed inside a paper evidence envelope, paper bag, or wrapped in any other type of packaging.
2. Weapons/knives – The use of protective gloves is recommended when handling any weapon in order to preserve DNA or latent evidence. Any sharp object that cannot be safely sealed in plastic must be secured in a protective cardboard box and sealed with evidence tape. Items that cannot fit into a box must have the dangerous portion of the object covered with cardboard and secured with approved packaging tape. Larger items may be wrapped in brown paper to preserve DNA or latent evidence.
3. Drugs
- a. All drugs brought into police possession are to be secured and entered into the EFP application prior to the end of the submitting officer's tour of duty.
  - b. All heroin, fentanyl, carfentanil and/or other unknown powder injectables will be kept inside their original packaging and placed in a paper envelope or paper bag. The envelope or bag will then be placed inside a plastic pouch or plastic sleeve and heat-sealed on all four sides. **Overdoses can occur with contact with the drugs through the skin. Rubber gloves shall be used at all times when handling these drugs.**
  - c. When tagging drugs, an amount must be entered in the EFP System. **DO NOT** put unknown amount. Either use weights (Examples: 1 gram, 4 ounces, 6 pounds etc.) or dosages (Examples: 1 unit dose, 20 pills, 4 bindles, 10 marijuana plants etc.)
  - d. Drugs that are found and are to be destroyed shall be clearly marked as such in the remarks section.
  - e. Seized drugs will be automatically reviewed to determine whether or not they will be analyzed at BCI. Officers with special requests should contact the Narcotics Unit.

- f. Marijuana or other plant matter to be used for evidence will be analyzed by a certified analyst of the department. These items will be tested on a request basis only.
4. Hypodermic syringes
    - a. Hypodermic syringes must be placed in tubes designed to hold syringes. The tube must then be heat-sealed in a plastic pouch or plastic sleeve with the proper label attached. If you have a hypodermic syringe that is too big to fit inside a tube you must use a cardboard gun box and make sure the hypodermic needle is secured with several plastic ties inside the box. Clearly mark on all four sides of the box that a hypodermic needle is inside.
    - b. Sharps containers are available in the event a large seizure is made. They are located in the Detective Bureau vault or the Patrol vault. Do not combine empty syringes with syringes that appear to have content sufficient for analysis or syringes from multiple suspects.
  5. Money
    - a. Any money totaling one hundred dollars or more must be counted and verified by a destination location officer prior to being sealed. Both the verifying and submitting officer will initial the package on the seal after it has been counted. If the submitting officer is also the accepting officer, then a witness will also verify the count and initial the package.
    - b. All money is to be tagged flat without any folds, clips, paper bands, or rubber bands securing the money.
    - c. The money will be deposited monthly in a Police Property Room Fund. In most cases the money will not be available for court proceedings. If you want documentation for court, you may take photos of the money prior to tagging the money. The photos shall be transferred to a disk and tagged separately from the money.
    - d. Dye pack stained money that is still wet shall be entered in the EFP system and then taken to CSU. It is the submitting officer's responsibility to retrieve the money, once dried, and relocate it to the final destination location.
  6. Go-carts, motor scooters, minibikes, mopeds, riding lawn mowers, and large automobile parts:
    - a. Will be taken to authorized police tow companies.
    - b. Property secured at authorized tow companies will require a Towed Auto Report in addition to the EFP Report.

- c. The submitting officer is responsible for affixing an EFP label to the property before his tour of duty is over.
7. Flammable liquids (except alcoholic beverages) – For safety reasons, flammable liquids will not be stored in the police station. Contact a CSU detective for a proper container and storage directions.
8. Ammunition/fireworks – Large amounts of ammunition or ammunition deemed unsafe, fireworks, gunpowder, or any other volatile substance will be placed in a sally port holding cell. There is a hard plastic box clearly marked “Ammo” written on it to hold the tagged ammunition. There is a separate Rubber Made container to place any fireworks that are tagged
9. Found license plates – Require only a yellow tag, located at the Information Desk, completed with all known information and secured to the plate with twine. The plate is then turned over to the Information Desk personnel. No EFP Report is needed for a found license plate unless it is evidence.
10. Alcohol
  - a. If an alcohol sample is needed, it will be placed into a sample bottle and tightly sealed.
  - b. The sample bottle is then placed in a heat-sealable plastic pouch or plastic sleeve and a heat-sealer is used to seal the bag across the middle, forming a liquid tight separate compartment for the bottle.
  - c. A photograph of the original container is then placed in the second compartment of the bag and the bag is heat-sealed. This method protects the photograph from any possible leakage and damage from the sample bottle.
  - d. A photograph will be taken if no alcohol sample is submitted.
11. Gunshot residue kit
  - a. Only one collection kit can be placed in a package.
  - b. The owner of the collection kit is the person from whom the sample was taken, not the City of Akron or the State of Ohio.
  - c. The finder of the collection kit is the officer or detective who obtained the sample from the subject.
  - d. Collection kits should be packaged in heat-sealed plastic bags.
12. Sexual assault kit



- a. Sexual assault kits are self-contained and should be treated as a single package. They should not be placed in a package with any other items. The EFP label is placed directly on the box, the box is sealed with approved packaging tape and the seal initialed with the officer's ID number.
  - b. The owner of the collection kit is the victim from whom the sample was taken, not the City of Akron or the State of Ohio.
  - d. The finder of the collection kit is the medical personnel from whom the kit was transferred from at the treatment facility.
13. Buccal/specimen swabs
- a. Buccal swabs are oral swabs used to obtain a known DNA standard.
    - 1) Two swabs are used per person, per collection and are packaged in one swab drying box – this is one Buccal Collection Kit.
    - 2) Only one Buccal Collection Kit can be placed in a package. No other evidence will be placed in a package containing a Buccal Collection Kit.
    - 3) The owner of the collection is the person from whom the standard was taken, **not** the City of Akron or the State of Ohio.
    - 4) The finder of the collection kit is the officer or detective who obtained the standard from the subject.
    - 5) All possible case information including the report number, incident location, date, time, standard donor identity, and collecting officer ID should be recorded on the outside of each swab drying box.
    - 6) The collection kit should be packaged in a manila envelope, sealed with approved packaging tape, and the seal initialed with the officer's ID number.
  - b. Specimen swabs are swabs used to collect suspected evidentiary material such as blood, semen, etc.
    - 1) One or two swabs are used per specimen collection point and are packaged in one swab drying box – this is one Specimen Collection Kit.
    - 2) Each Specimen Collection Kit shall be sealed in a small manila envelope, sealed with approved packaging tape, and the seal initialed with the officer's identification number. Each Specimen Collection Kit shall be tagged separately. No other evidence will be placed in a package containing a Specimen Collection Kit.

- 3) The owner of the specimen collection is left blank unless the contributor is known for certain. The City of Akron or the State of Ohio is **not** to be entered as the owner.
- 4) The finder of the Specimen Collection Kit is the officer or detective who obtained the sample from the scene.
- 5) All possible case information including the report number, incident location, date, time, specimen location description, and collecting officer ID number should be recorded on the outside of each swab drying box.

#### 14. Print lifts

- a. Fingerprints, palm prints, or bare footprints developed and recovered from a crime scene will be noted in the investigative notes section of the incident report and then taken to the Crime Scene Unit for examination prior to entering them into the EFP system as evidence.
- b. Upon examination, the CSU detective will determine if the print lifts are of sufficient quality for comparison purposes.
- c. If the print lifts are determined to be of sufficient comparison quality by the CSU detective, the recovering officer will enter the lifts into the EFP system and document this in the investigative notes section of the Incident Report.
- d. If the prints on the lifts are determined to be of insufficient comparison quality by the CSU detective, the lifts will be discarded as “non-evidentiary.” The disposal of the lifts will be noted in the investigative notes section of the Incident Report.
- e. If CSU is closed or no CSU detective is available, the recovering officer will tag the lifts as they would any other evidence and note this in the investigative notes section of the Incident Report. If follow-up on the lift is required by the case detective, then it will be the responsibility of the case detective to notify CSU.

#### 15. Bicycles

- a. Bicycles being held as evidence, or if there is a known owner, or if found with no known owner will be brought to the police station and stored in the sally port holding cells. The submitting officer will affix an EFP label to the each bicycle. Place the label on a handle bar or handle bar cable. The key to the sally port holding cell is available at the information desk. Property room personnel will move the bicycles to the bicycle storage facility at a later date.

#### 16. Purses, backpacks, suitcases or bags

- a. All purses, backpacks, suitcases, and/or bags filled with personnel belongings will be searched by the submitting officer prior to tagging. If there are any knives, guns,

money, drugs, or drug paraphernalia found they all must be tagged separately. Anything else in the purse, backpack, suitcase, or bag can be listed in the General Remarks on the evidence report and keep inside the bag.

Once the search is complete the EFP label can be affixed to the outside of the purse, backpack, suitcase, or bag. In some cases an EFP label must be attached to an empty plastic pouch then the EFP label will be attached to the plastic pouch. The pouch will then be affixed to the purse, backpack, suitcase, or bag with a plastic zip tie.

- b. If there are perishable foods or anything leaking inside the purse, backpack, suitcase, or bag please throw the item away in the trash. The thrown away item should be listed in the General Remarks section of the EFP report and the reason for discarding the item.

#### F. CHECKING OUT AND RETURNING EVIDENCE OR FOUND PROPERTY

1. Any officer who obtains property from the Property Room must sign it out. The property must be secured each day by either returning it to the Property Room or, if the Property Room is closed, taken to the Detective Bureau vault. The accepting officer at the Detective Bureau Desk will relocate that property in the EFP application to the Detective Bureau Desk.
2. Officers that believe their evidence will be admitted into court shall have Property Room personnel prepare the EFP with a "Transfer of Evidence" stamp. Officers shall have the person receiving the evidence sign the EFP Report and return the report to the Property Room.
3. Property will not be taken to the Grand Jury unless it is requested by the Grand Jury or the prosecutor handling the case.
4. When found property or evidence is no longer needed for court proceedings, the owner will be notified by the Property Room. It is the officer's responsibility to notify the Property Room of what can be released prior to any court proceedings or before the investigation is over. Officers who authorize the release of property shall notify the Property Room by writing or email. Phone calls to the Property Room will not be acceptable. Officers who authorize the release of found property or evidence shall also note this authorization in the history pull down section of the EFP application for each piece of evidence that is being released.
5. Officers should make every attempt to find the owner of found property. When an officer is able to do so, the officer should document it in the EFP Report and return the property to the owner.
6. Prior to any firearm being released, the owner of the firearm shall be subjected to a background check to determine if they are legally allowed to possess the weapon.

Owners of recovered firearms should be directed to contact the Pawn Detail for additional information.

G. ADDITIONAL CRIMINAL CHARGES AND CASE DISMISSALS

1. When you have tagged evidence with no charges or misdemeanor charges and the investigation turns into felony charges the investigating officer shall notify the Property Room in writing or by email that the tagged property will be needed for future court proceedings. Phone calls to the Property Room will not be acceptable. This notification should be made in a timely manner after the submitting officer is aware of additional charges. Failure to make the notification could result in property being purged from the Property Room or property being returned to the owner.
  
2. When a local case is dismissed from Akron Municipal Court or Summit County Common Pleas Court for future Federal Charges, the submitting officer shall notify the Property Room in writing or by email that the tagged property will be needed for Federal Court proceedings. Phone calls to the Property Room will not be acceptable. This notification should be made in a timely manner after the submitting officer is aware of future Federal charges. Failure to make the notification could result in property being purged from the Property Room or property being returned to the owner.

By Order Of,

\_\_\_\_\_  
Kenneth R. Ball II  
Chief of Police

Date \_\_\_\_\_