



**POLICE DEPARTMENT**

**EVIDENCE  
COLLECTION &  
PRESERVATION**

**OPERATIONAL  
PROCEDURE #467**

Responsible Executive:  
Chief of Police  
Responsible Office:  
Vice President for Public Safety  
Approved by:  
Dr. Branville G. Bard Jr.  
Issued: 07/25/2024  
Revised: N/A

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**Policy Statement**

The Johns Hopkins Police Department (JHPD) will thoroughly investigate all incidents for which it has investigative authority. Officers will follow best practices in incident scene processing and management, as well as in the recovery, seizure, and safekeeping of evidence and other abandoned or lost property coming into their possession. The JHPD stores and manages all property and evidence that comes into its custody in accordance with federal and state law, and according to the policies set forth by the Baltimore Police Department (BPD). Per the Memorandum of Understanding (MOU) between the JHPD and BPD, dated December 2, 2022, the JHPD stores all property and evidence at BPD’s Evidence Management Unit (EMU).

**Who Is Governed by This Policy**

All personnel, including sworn, nonsworn, and contractual or voluntary persons in service with the JHPD, are governed by this Directive.

## Purpose

The purpose of this Directive is to explain the procedural responsibilities of JHPD members for the collection, processing, preservation, and safekeeping of physical evidence at the scene of a crime, traffic collision, or unusual occurrence. This Directive also establishes procedures for the storage, release, and disposal of property and evidence in the custody of the JHPD.

## Definitions

<b>Biohazard Materials (Bio, Bio Material):</b>	Materials or materials contaminated with blood, body fluids, or other potentially infectious materials that present a potential risk of exposure to others.
<b>Controlled Dangerous Substance (CDS):</b>	Any substance (commonly illicit or prescription drugs) that has been scheduled by the Drug Enforcement Administration (DEA). These substances are scheduled (I–V) based on the accepted medical use, likelihood of diversion, and potential for abuse or addiction. <u>NOTE:</u> Because CDS types change rapidly, CDSs may also be in the form of a substance that has not yet been identified and scheduled by the DEA.
<b>Firearm:</b>	Any weapon that will or is designed to or may be readily converted to expel a projectile by the action of an explosive, to include a pistol, rifle, shotgun, starter pistol, and other portable guns.
<b>Found Property:</b>	Any property that is not known by the member to be reported as lost or stolen at the time it is found.
<b>Found Property Box:</b>	Each district shall maintain a secure storage container, designated as a “found property box,” for the safekeeping of items that have value but do not have evidentiary value, including CDSs, with no suspects or potential suspects. The following items, regardless of whether there are suspects or potential suspects, shall not be placed in the found property box: money, firearms, and jewelry.
<b>General Property:</b>	All property other than money, firearms, or CDSs.
<b>Hazardous Materials:</b>	Materials or goods that may be radioactive, flammable, explosive, toxic, corrosive, or oxidizers in any form, including solids, liquids, and gases.
<b>Jewelry:</b>	Personal ornaments such as necklaces, rings, or bracelets.
<b>Member:</b>	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of BPD, etc.).
<b>Money:</b>	All currency, domestic and foreign, including checks and money orders.
<b>Officer:</b>	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
<b>Recovered Property:</b>	Any property that is known by the officer to have been reported lost or stolen at the time it is found.

## Policy

The JHPD shall ensure that property and evidence is properly recovered, submitted, stored, and maintained through proper incident scene processing procedures and submission of all property and evidence recovered to BPD's EMU.

## Procedures

### I. General

- A. All evidence collected from crime scenes by the JHPD will be maintained at the BPD's EMU in accordance with BPD's governing policies, procedures, and regulations. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 84.1.2)
- B. All property that comes into the JHPD's custody that is not immediately returned to the lawful owner will also be maintained at the EMU in accordance with BPD's policies, procedures, and regulations, with the exception of found property of no evidentiary value that is submitted to Johns Hopkins Public Safety (JHPS) lost and found, pursuant to this Directive.
- C. Stolen and other recovered vehicles will be stored consistent with governing policies, procedures, and regulations of BPD and stored at a BPD/Baltimore City Impound Lot.

### II. Incident Scene Initial Assessment (CALEA 83.2.1.a, 83.2.4)

The initial responsibility of the first officer on the scene of any crime, motor vehicle collision, or unusual occurrence is to make the scene safe for victims, bystanders, and emergency services personnel. Once this is accomplished, officers will secure the scene and prevent the loss or contamination of possible evidence.

- A. Members of the JHPD are available 24 hours a day to respond to calls for service. Members who initially respond to incident scenes must assess the incident and request additional assistance if needed.
  - JHPD investigators and BPD Forensic Laboratory crime scene technicians are available 24 hours a day to assist in incident scene processing if needed. Members should request additional assistance through their on-duty supervisor. (CALEA 83.1.1)
- B. Supervisors will determine if more forensic assistance is needed and ensure notifications and requests are made as soon as possible, but not more than 30 minutes after the agency becomes aware of the needs.
- C. Incident scenes will be secured, be made safe, and not be disturbed after evidence processing assistance has been requested unless evidence may be lost or destroyed prior to the arrival of requested assistance.

- D.** Consistent with the MOU, BPD is responsible for incident scene processing in all cases and attempts of Group A offenses under the National Incident-Based Reporting System (NIBRS) program, which are listed in Appendix A to the MOU, except:
- Larceny/theft offenses,
  - Burglary/breaking and entering, and
  - Motor vehicle theft, for which the JHPD will have primary responsibility for investigations and arrests, along with all Group B offenses under the NIBRS program.
- E.** For any crime for which BPD has primary jurisdiction, the responding JHPD member will secure the scene but will not process it unless instructed to do so by BPD.
- F.** Pursuant to the MOU, for incidents in which the JHPD has primary investigatory responsibility, JHPD members may request the assistance of the BPD Forensic Laboratory crime scene technicians to perform incident scene processing. The BPD Forensic Laboratory is staffed 24 hours a day and will honor those requests, subject to available resources, following BPD's prioritization and other criteria for requesting crime scene processing. Where BPD Forensic Laboratory technicians process an incident scene, they shall collect and analyze evidence in accordance with BPD policies and procedures.
- G.** The JHPD shall pay BPD for the costs and expenses incurred by the BPD's Forensic Laboratory for processing and analyzing incident scenes for which the JHPD has primary investigatory responsibility, including, as needed, the costs of up to one crime lab analyst employed by BPD's Forensic Laboratory.
- H.** The JHPD Investigations Division will also be available 24 hours a day to respond to requests from patrol officers, if necessary, to process incident scenes when the BPD Forensic Laboratory is unavailable but recovery of physical, biologic, fingerprint, or trace evidence may be required. The JHPD investigations unit will be equipped with processing equipment and collect and preserve all evidence discussed herein or pursuant to the BPD Forensic Laboratory's crime scene unit standard operating procedure and/or technical manual. (CALEA 83.2.4.a.d)
- I.** Minor crime scene processing kits to assist in recovering latent fingerprints, sketch pads for rendering of the scene, and tools and materials necessary for the collection and preservation of evidence are kept in each patrol vehicle.
- J.** Patrol vehicles are also supplied with equipment necessary to investigate most vehicle accidents. (CALEA 83.2.4)

### **III. Incident Scene Access Control** (CALEA 83.2.1.a)

- A. Incident scenes that require processing for evidence must be secured as soon as possible after they have been declared safe by initially responding members.
- B. A JHPD incident number (also known by BPD as a Central Complaint number (CC#)) will be generated to help track items that are taken into custody by the JHPD.
- C. Only one incident number will be issued for each incident.
- D. Members who take custody and control of property or evidence will obtain incident numbers from communications and record them as required.
- E. Members who enter incident scenes will not disturb, touch, or handle physical evidence unless they are actively involved in incident scene processing or entering scenes because evidence:
  - Must be made safe,
  - May be lost, or
  - May be destroyed prior to processing.
- F. First responding members are responsible for ensuring incident scene perimeters are established and maintained as necessary and prudent to:
  - Facilitate processing,
  - Protect the integrity of evidence, and
  - Prevent justice from being obstructed.
- G. Incident scene logs or other suitable written access records will be used by members when it is necessary to set up formal, strict control of incident scenes that are being processed. When utilized, members will:
  - Ensure incident scene logs are given to officers who are at incident scene access points and that entries are made for everyone who goes into incident scenes,
  - Only allow essential members, as required in the performance of their assigned duties applicable to specific incidents, to enter, or be permitted to enter, incident scene perimeters,
  - Ensure everyone who enters secured incident scenes is required to complete a supplement report describing their actions, and
  - Ensure completed incident scene logs are included in case files.

#### **IV. Incident Scene Processing Functions** (CALEA 83.2.1.a,b, 83.3.1)

- A.** Primary responding JHPD members will ensure that physical evidence is preserved and collected at incident scenes, unless the JHPD's or an allied agency's investigative unit, such as that of BPD, assumes scene control. Members shall follow the procedures of this Directive, as well as BPD Policy 1401, Control of Property and Evidence, and BPD's Forensic Science and Evidence Services Division Crime Scene Unit Standard Operating Procedures and Technical Manual, with respect to incident scene management and evidence collection.
- B.** First responding members will ensure, through communications, that BPD or JHPD Communications is notified when the response requires JHPD or allied investigative functions, such as a crime for which BPD has primary jurisdiction or a serious crime or incident to which JHPD investigations, the Public Safety Accountability Unit (PSAU), or the Maryland Attorney General's Office Independent Investigative Division should respond.
- C.** Evidentiary functions of processing incident scenes may include but are not limited to:
- Protecting scenes to prevent destruction or contamination of evidence,
  - Documenting entry of persons into incident scenes,
  - Locating evidence,
  - Collecting evidence,
  - Preserving and packaging evidence,
  - Preparing or submitting evidence for analysis,
  - Locating witnesses,
  - Photographing and sketching scenes, and
  - Preparing initial and follow-up reports.
- D.** If damage or destruction of evidence by natural or outside sources is not a concern, members processing incident scenes should work through incident scenes collecting evidence in a logical sequence, attempting to avoid disruption of other evidence. Processing requirements will determine the progression of processing tasks, such as photograph, sketch, fingerprint, mark, and collect.
- E.** Members processing incident scenes are expected to make reasonable efforts to collect available evidentiary information, materials, and substances for comparison purposes in forensic laboratory analyses.

- F. Members processing incident scenes should avoid touching or contacting articles of evidence with anything that might contaminate or destroy the evidentiary value of the articles.
- G. Members processing incident scenes should collect perishable evidence first.
- H. Members processing incident scenes should collect materials and substances from known sources whenever possible to facilitate comparison with physical evidence collected.
- I. Members processing incident scenes should wear proper personal protective equipment, including nitrile gloves, when collecting evidence and property.

**V. Still & Video Photography** (CALEA 83.2.2, 83.2.4.b)

- A. Members processing incident scenes are responsible for ensuring incident scenes are photographed or video-recorded when it is believed that this type of processing will benefit investigations.
- B. Members processing incident scenes will ensure forensic assistance from the BPD Forensic Laboratory, including crime scene photography, is requested if necessary.
- C. Members processing incident scenes shall ensure that photographs or video is taken before evidence is processed and collected.
- D. Members processing incident scenes will use the JHPD's digital cameras to capture all evidentiary photographs taken by the JHPD unless the condition of the evidence is rapidly deteriorating or at significant risk of losing its evidentiary value, in which case officers may use personal photographic equipment, such as cell phones, to take photos.
  - Any photographs taken on personal photographic equipment shall be uploaded to the appropriate sections of the Records Management System (RMS) and then immediately deleted from members' personal photographic equipment.
  - Any use of personal photographic equipment shall be noted in the Incident Report, and the officer shall affirmatively state in the Incident Report that the photographs were uploaded to RMS and deleted from their personal photographic equipment.
- E. Members processing incident scenes shall take evidentiary photographs with the intent that they may be presented to a court, jury, or

administrative hearing body in proof of facts that are at issue. Evidentiary photographs include but are not limited to:

- Photos of crime scenes and instruments of crime,
- Photos of traffic collisions,
- Photos of parties to criminal activities,
- Photos of injuries to persons,
- Photos of surveillance and criminal intelligence operations,
- Photos of suspects and suspect vehicles,
- Photos of PSAU scenes and instruments,
- Photos of accidental damage to persons or property, and
- Arrest and booking photos and photos of detainees' identifying characteristics, such as scars, marks, and tattoos.

**F.** Members processing incident scenes are permitted to use personal photographic equipment to take nonevidentiary photographs when the JHPD's digital cameras are not readily available. Nonevidentiary photographs are taken for informational purposes without any reasonable expectation that they would be presented to a court, jury, or administrative hearing body in proof of facts that are at issue. Nonevidentiary photographs include but are not limited to photos of:

- Community outreach activities,
- Ceremonies,
- Staff and line inspections,
- Accreditation-related proofs of compliance,
- Training materials and activities, and
- Persons who are routinely advised of the trespass acts or denied access without being accused or charged with criminal violations.

**G.** Members processing incident scenes may take video recordings to supplement, but not replace, the use of still photography in the processing of crime and incident scenes.

**H.** Members processing incident scenes will not, except by permission of their commander or the Chief of Police, or as otherwise described in this Directive:

- Release images to others,
- Post, transmit, or upload images to the internet, social media, etc.,  
or



- Copy, duplicate, store, retain, etc. personal copies of images in hard copy or electronic media.
- I.** Members conducting investigations shall ensure that at least three photographs of articles or areas are taken when exact size comparisons are needed, as follows:
- The first photograph should be taken with nothing introduced in the field of vision, to show the location of the item in relation to the scene.
  - One close-up photograph should be taken of the item as found, with nothing introduced into the field of vision.
  - One other close-up photograph should be taken with a scale placed in the field of vision.
  - Scales for evidentiary photographs are components of cruiser evidence kits.
  - Dimensions of fixed objects should be recorded to provide reference scales.
- J.** Members assigned cameras will not:
- Use the cameras to take arrest and booking (mug shot) photos,
  - Make any modifications, repairs, etc. to the cameras without permission from Records Management or a commander, or
  - Alter, tamper with, edit, or delete any original images or their metadata, including any poorly exposed, improperly cropped, blurred, or other “bad” original images from memory cards.
- K.** For evidentiary photographs, members processing incident scenes will do the following:
- Use the cameras only after, and consistent with, applicable training.
  - Photograph only one case per memory card. Multiple officers using multiple cameras for one case is acceptable.
  - Take photos as the largest file size and the finest quality setting available for the camera.
  - Before submitting memory cards to EMU, copy evidentiary photos into the appropriate sections of the RMS case file.
  - Package and submit original memory cards, only one per evidence envelope, to EMU.

- For images captured on other electronic media, preserve the images on record-once digital storage media such as CDs or DVDs and submit the media to EMU.
- Request forensic photograph services through their supervisors to the BPD Forensic Laboratory.
- Ensure the Office of the State's Attorney (OSA) is informed anytime digital images are to be presented as evidence and, if images have been enhanced, that original images will also be provided.
- When necessary, request that the BPD Forensic Laboratory make or have made necessary printed or electronic copies of evidentiary photographs they have taken.
- Ensure electronic copies will be made on record-once digital storage media as necessary for investigative or prosecution purposes.
- Ensure investigative copies will be kept and retained in corresponding case files.
- Ensure prosecution-related copies are managed in the chain-of-custody system.

**L.** For nonevidentiary photographs, members processing incident scenes:

- May take photographs from single or multiple events on one memory card.
- Should take photos as the largest file size and the finest quality setting available for the camera.
- Will, before submitting photos to Records Management, copy all case-related photos, such as suspicious persons, vehicles, circumstances, etc., into the appropriate sections of RMS.
- Will package and submit departmental memory cards, only one per evidence envelope, to Records Management. Photos taken with personal photographic equipment will be submitted in a manner acceptable to Records Management.
- May request Records Management make or have made necessary hard copies or electronic copies on record-once digital storage media when necessary.

**M.** Records Management is responsible for the following:

- Ensuring a reasonable supply of camera batteries and memory cards is maintained in the patrol supply cabinet.

- Copying original photos that cannot be uploaded directly into RMS into and maintaining the JHPD's RMS for all original, evidentiary photographs, except for the following:
    - Photos related to misconduct or use-of-force investigations that are maintained separately by PSAU.
  - Serving as the primary point of contact for distributing copies of original evidentiary photographs to persons inside and outside the agency.
- N. Cameras and cases are issued to all JHPD officers, and supervisors are responsible for ensuring that the officers under their supervision:
- Have their cameras, and
  - Keep the cameras operationally ready for use by replacing spent batteries with a good set and ensuring a fresh memory card is in the camera, as well as ensuring that a spare set of batteries and spare memory card are in the camera case.

## **VI. Sketches** (CALEA 83.2.4.c)

- A. Members processing incident scenes will be equipped and trained to make sketches, and they will make sketches whenever circumstances indicate that case reports may benefit from sketch information and detail. (CALEA 83.2.4.c)
- B. Members processing incident scenes will take measurements, make rough sketches, and include sufficient additional information so that investigations personnel can make scale drawings at a later time.
- C. Members processing incident scenes will include rough sketches with related reports and submit to Records Management.
- D. Some basic elements that members processing incident scenes should include in sketches include but are not limited to:
- Case number and incident type,
  - Dimensions,
  - Legend of any abbreviations or symbols,
  - Relation of scenes to other buildings, geographical features, or roads,
  - Addresses, floors, or room numbers as appropriate,
  - Locations of significant features of the scene, including victims,
  - Dates and times of preparation,
  - Names of persons preparing sketches,

- Direction of north
- Location of articles of physical evidence recovered,
- Notations if drawn to scale or not to scale, and
- Weather conditions, including indoor and outdoor temperature readings.

## **VII. Evidence Collection & Packaging** (CALEA 83.2.1.b, 83.2.4.d)

- A. Members processing incident scenes will comply with applicable directives established by EMU and the BPD Forensic Laboratory for collection and packaging evidence.
- B. The proper packaging of evidence is extremely important, since changes can occur to improperly packaged items through contamination, breakage, evaporation, accidental scratching, bending, or loss. Physical evidence must be handled in a way that prevents deleterious change from taking place between the time the evidence is collected at the crime scene, the time it is received by EMU, and the time it is subsequently analyzed by the BPD Forensic Laboratory or other laboratory unit.
- C. Members processing incident scenes shall adhere to the following general guidelines:
  - Identify and collect fragile evidence first at a crime scene. For example, collect evidence items found outdoors if weather conditions have the potential to compromise the scene.
  - Wear protective gloves. When appropriate, change gloves after handling each item of evidence, such as evidence to be analyzed for DNA and heavily soiled biological evidence.
  - Items of evidence will be packaged in a manner that maintains the integrity of the items as to their condition at the time of collection.
  - Clean all nondisposable tools used for collecting evidence in accordance with JHPD guidelines.
  - Disposable equipment such as scalpels, box cutters, tweezers, and pipettes may be used to collect evidence. Scalpels and box cutters shall be disposed of in a sharps container. Tweezers, pipettes, and other nonsharps shall be disposed of in regular trash bins.
    - Contaminated nonsharps shall be disposed of in a biohazard box.
    - Contaminated nonsharps shall be transported in a red biohazard bag before disposal in a biohazard box.
  - Disposable equipment shall only be used on a single piece of evidence.

- Package evidence in separate primary packaging containers to prevent cross contamination unless items are intertwined and should stay together to preserve possible trace evidence. Similar items in primary containers may be packaged together in a single container for submission to EMU.
- The size of the package should be proportionate to the size of the evidence item.
- Evidence that is excessively wet, such as bloody clothing, should be placed in a red biohazard bag, brought to the drying area at EMU, and placed in a drying cabinet to thoroughly air-dry prior to submission.
- Biological evidence packaging shall possess a visible biohazard sticker.
- Items will be packed to minimize interior movement within packages.
- Markings or labels will be placed on seals and on packages or containers.
- Whenever possible, packages will be labeled before placing evidence in them to prevent damaging evidence when writing on packages.

**D.** Members processing incident scenes who take items into custody are responsible for using EMU's sealing, marking, labeling, or tagging method as the items are taken into custody or as soon as practical in order to initiate and maintain chain of custody. Evidence tags, tape, and stickers are available from EMU and will be used to tag or label articles of evidence or property, as appropriate.

**E.** Physically marking property or evidence will be avoided by members processing incident scenes when other labeling, tagging, etc. methods are available.

- Evidentiary articles will not be marked by members processing incident scenes when:
  - They bear serial numbers,
  - The marking would alter their evidentiary or property value, or
  - They are capable of being identified through distinctive markings or other recorded information.
- When evidence is marked, members will ensure that marks will be:
  - Distinctive,
  - As small as practical, and

- Made with markers and placed in locations that will not reduce articles' evidentiary or property value.
- Members processing incident scenes should establish habits of marking similar articles in similar locations. Instruments that may be used for marking physical evidence include but are not limited to:
  - Permanent markers,
  - Felt-tip pens,
  - Scribes, and
  - Where labels are used, ballpoint pens.

## **VIII. Reporting Requirements** (CALEA 83.2.6, 84.1.1.c)

- A. Members processing incident scenes are responsible for documenting the results of their processing.
- B. This documentation includes the EMU submission form requirements and an incident or supplemental report including:
  - Incident number (CC#),
  - Date and time of arrival at the scene,
  - Location of the incident,
  - Name of victims, if known,
  - Name of persons suspected of committing the crime, if known,
  - Actions taken at the scene,
  - Date and time additional or specialist assistance is requested and received,
  - Name of investigating member,
  - Number of photographs taken and corresponding description,
  - Listings of physical evidence recovered, serial number, location recovered from, and item number,
  - Disposition of physical and photographic evidence,
  - Crime scene measurement information, and, if applicable,
  - Reasons why photographs were not taken or physical evidence not recovered at scenes of serious crimes against persons or property.

## **IX. Fingerprint Evidence** (CALEA 83.2.3, 83.2.4.a)

JHPD patrol vehicles are equipped with a basic fingerprint lift kit, which includes black powder, brushes, lift cards, and lift tape to develop latent fingerprints. However, officers requiring advanced development techniques and supplies, including the use of regular-colored powders, bichromate or magnetic powders, cyanoacrylate fuming, iodine fuming, ninhydrin, silver nitrate, physical developer, and use of the forensic light source, should request assistance from the BPD Forensic Laboratory.

- A.** Members processing incident scenes are responsible for ensuring scenes are processed for fingerprint evidence when processing would benefit investigations.
- B.** Fingerprints are considered valuable evidence at a crime scene because they are unique; no two people have been found to have the same fingerprints. Latent prints are impressions produced by the ridged skin, known as friction ridges, on human fingers, palms, and soles of the feet.

Examiners analyze latent prints and compare them to known prints of individuals in an effort to make identifications or exclusions. The uniqueness, permanence, and arrangement of the friction ridges allow examiners to positively match two prints and to determine whether two friction ridge impressions originated from one source.

- C.** Latent prints are among the most valuable and common types of physical evidence. All objects at the scene of the crime should be considered as possible sources of fingerprints that may lead to the identification of the offender. Although many acceptable procedures may exist to develop and process an area or item for latent prints, considerable variation in evidence items requires that members processing incident scenes have the flexibility to exercise discretion in selecting the method most appropriate to process the item of evidence at hand.
- D.** When processing items for latent prints, members should take care to use the proper method (i.e., powder or chemical) with the proper type of evidence/surface in order to produce the best-quality latent print. Additionally, care should be taken to ensure that the processing of the items of evidence will not interfere with or hamper the evaluation of other disciplines (e.g., biological evidence collection).
- E.** To the extent that processing for latent prints would be beneficial to an investigation, if the member processing incident scenes is properly trained in fingerprint development and latent print processing, they shall utilize the JHPD's latent print filed kit instructions, BPD's Forensic Laboratory Technical Manual, and the fingerprint training when developing, lifting, and submitting fingerprints for evidentiary purposes.

- F. To the extent that processing for latent prints would be beneficial to an investigation, the member processing the incident scene, if not properly trained in fingerprint development and latent print processing, shall ensure that a JHPD member trained in fingerprint development and latent print processing, or the BPD Forensic Laboratory crime scene investigator, is called to process the incident scene.
- G. Members processing incident scenes who request latent print examinations through the BPD Forensic Laboratory must:
- Complete latent fingerprint card information,
  - Place latent print cards in evidence envelopes,
  - Complete the Latent Print Unit Request Form, and
  - Arrange for completed packets to be hand-carried to EMU.
- H. Fingerprints for comparison or elimination purposes may be acquired by members by obtaining search warrants or by obtaining voluntary consent from individuals to be fingerprinted. Fingerprints collected for comparison purposes will be submitted by collecting members to EMU with related reports, in accordance with BPD Forensic Laboratory requirements.

## **X. Recovery of Hazardous Substances**

- A. Upon discovery of material that a member believes to be a hazardous substance, members shall not recover or otherwise handle the material.
- EXCEPTION: Members may recover syringes during arrests or seizures. Members shall submit syringes related to arrests and seizures, which are clearly CDS-related paraphernalia, to EMU in accordance with the procedures established for the handling of CDSs, in Section XIX of this Directive.
- B. Members shall follow the procedures for hazardous materials incidents in JHPD Directive #480, Critical Incident Response & Management.

## **XI. Recovery & Processing of Vehicles**

- A. When a vehicle is the scene of an incident, is recovered as evidence of a crime, or otherwise contains probative evidence, it will be processed by a member as all other incident scenes are processed.
- B. To the extent feasible, a member should process vehicles on the incident scene and then release them to the owners or operators.



- C. If a member cannot process a vehicle on the scene, it shall be towed to the JHPD Headquarters or the BPD vehicle forensic bay for processing. In such cases, members shall call the BPD Forensic Laboratory crime scene unit for instructions to determine whether the vehicle should be brought to the BPD vehicle forensic bay.
- D. Members shall ensure that when towing a vehicle for processing, they:
- Follow the towed vehicle to the processing location to maintain the chain of custody for the vehicle,
  - Have a property tag attached to the vehicle so it can be easily seen,
  - Document the processing on the Incident Report, and
  - If it is necessary that the vehicle be stored after processing, ensure that the vehicle is stored at BPD/City of Baltimore Impound Lot.
- E. Vehicles recovered by members that can be released to the owners but whose owners cannot be located shall be towed to the BPD/City of Baltimore Impound Lot for safe storage.

## **XII. Recovery of Computer Equipment & Cell Phones** (CALEA 83.2.5)

- A. Members who recover computer equipment or cell phones as evidence will follow the following procedures for recovery. To the extent that a member needs computer forensic support on the scene, they should have their supervisor contact the BPD's Computer Crimes Section for assistance.
- B. When computer or related forensic assistance is needed in exigent or extenuating circumstances, officers may directly contact the BPD's Computer Crimes Section for assistance. Members must notify a supervisor as soon as possible of any request.
- C. A member recovering computer equipment or cell phone that is powered off should leave a device off, and the battery should be removed if possible. If the computer or cell phone is on and something is being displayed on a screen, the member should photograph the screen.
- D. Members shall then place the computer equipment or cell phone in the state that it is in (off or on) in antistatic packaging that blocks communication to the device, such as a Faraday bag. A Faraday bag prevents signals from being sent from or received by an electronic device, such as a cell phone or laptop computer.
- E. When collecting computer equipment or cell phones, members are reminded to also recover the power cords or chargers, which may be necessary for forensic analysis.

- F. Members shall submit computer equipment or cell phones recovered as evidence as general property.
- G. For searches and seizures of computer equipment and cell phones, members shall follow JHPD Directive #411, Search & Seizure.

### **XIII. Recovery & Submission of Firearms**

- A. If a firearm is recovered as evidence by a member, it shall be submitted to EMU.
- B. Prior to arrival at EMU or the EMU gun box, all members shall ensure firearms are rendered safe by removing any ammunition and opening the action.
- C. Members shall utilize a zip tie to ensure the firearm is unloaded, the action is clear, and it cannot chamber ammunition.
- D. EMU personnel are required by BPD policy to visually and physically inspect all firearms to ensure that they have been rendered safe.
  - NOTE: If the firearm is damaged, or the submitting officer is unable to render the firearm safe, members should immediately notify the BPD Emergency Services Unit (ESU) for assistance. If ESU is unable to respond, contact the BPD Firearms Unit at 410-396-2666. During regular business hours, EMU gun vault personnel are available to assist with firearms and will take temporary custody of the firearm if it is unable to be rendered safe.
- E. Members are required to complete the following forms or documents when submitting a firearm to EMU:
  - Property receipt,
  - Firearms envelope,
  - Property tag,
  - Small white envelope (for ammunition), and
  - Request for Firearms Examination.
- F. If DNA and latent print analysis is desired, members shall complete requests in the following order to limit potential cross contamination and to maximize the likelihood of the successful collection of DNA and latent print evidence:
  - Request Forensic Biology/Latent Print Processing, Form 4788-3
  - Latent Print Unit Request Form, LPQA-11

- NOTE: When requesting a fingerprint analysis for comparison, members shall include name, state identification number, and date of birth of the subject of the analysis.
- G.** Members shall always request Firearms Examination/Inventory, Form FAQA-23.
- H.** In addition, for a handgun, the submitting member shall do the following:
- Ensure the handgun is unloaded.
  - Place any loose ammunition into the small white envelope.
  - Place the handgun and any magazines into the completed firearms envelope.
  - Place a property tag and any ammunition into the firearms envelope.
  - If ammunition is in the original box or container, place it into the firearms envelope with the handgun.
  - If the ammunition box or container is too large to fit in the firearms envelope, place it into a separate brown paper bag. Complete a property tag and affix it to the brown paper bag.
- I.** For all long guns, the submitting member shall do the following:
- Ensure the firearm is unloaded.
  - Place any loose ammunition into the small white envelope.
  - Affix the property tag to the firearm.
- J.** For all bulk ammunition, or additional ammunition not accompanying a firearm, a submitting member shall submit it as general property.

#### **XIV. Recovery & Collection of Biological Evidence** (CALEA 83.2.7)

- A.** The purpose of biological evidence collection at the scene is to obtain a suitable sample for further DNA analysis. Cells are collected from surfaces by application of pressure on the surface by an absorptive material, such as a cotton swab. The cells often associated with crime scene biological evidence collection include skin cells from contact with a particular surface, such as handling a weapon or touching a doorknob, and blood. An analysis of the genetic material found in blood can aid in the identification of participants in the crime.
- B.** Sources of biological evidence include but are not limited to the following:

- Blood
  - Semen/vaginal secretions
  - Epithelial cells
  - Saliva
  - Hair with roots
  - Mucous
- C.** Sterile swabs are the primary collection tools of biological material. Disposable instruments should be used when possible (tweezers, pipettes).
- D.** Members shall use a clean instrument for each piece of evidence:
- Scalpels/box cutters
  - Scissors
  - Tweezers
  - Pipettes
- E.** When a sufficiently visible stain exists, members will collect two swabs as described herein. Biological evidence shall be recovered prior to processing the same item for latent prints.
- F.** Members should use discretion when determining whether to swab or process an item.
- G.** Members shall consider the importance and value of each type of evidence; it may be beneficial to swab specific areas (e.g., textured areas or areas with suspected DNA) of an item and then process other surfaces of the same item for prints.
- H.** Members shall use discretion and consider factors such as surface area and time of contact when determining what items are to be swabbed for “touch DNA.”
- I.** Members shall not swab clothing for suspected DNA or suspected blood. These items are to be recovered as-is and submitted to EMU to be analyzed by the BPD Forensic Laboratory.
- J.** Documentation on the swab’s immediate packaging (e.g., swab box or coin envelope) will include, at a minimum, the following information:
- Incident number (CC#)
  - Date
  - Collector’s name

- Item description, to include where or what swabs were recovered from
- K.** When collecting visible biological evidence (swabbing), members shall adhere to the following requirements:
- Nitrile examination gloves shall be worn during sample collection.
  - Remove two swabs from sterile packaging.
  - Determine whether the stain to be swabbed is wet or dry. Apply one drop of water to swab tip (slightly moistened). If the stain is still damp from a recent deposition, the swab does not need to be moistened.
  - Collect as much of the stain as possible, concentrating the stain on the entire swab.
  - Package swabs collected from the same stain together. If a small or faint stain is being collected, concentrate the stain on one swab.
  - Allow swabs to completely dry in a swab box. If swab boxes are not available, the swabs may be preserved in their original packaging and placed into a property envelope.
  - Package swabs from different locations separately.
- L.** When collecting nonvisible biological evidence, members shall follow procedures above for visible biological evidence collection, using two swabs per sample (wet and dry swabs). A dry swab will immediately follow over the wet swab collection sites for nonvisible stains. Wet and dry swabs can be collected simultaneously.
- M.** Whenever possible, members shall recover the bloodstained item itself and submit it for examination and analysis. This applies to DNA evidence as well.
- N.** If it is not possible to recover the entire item, members shall recover the part of the item that contains the bloodstain. For items such as bloodstained fabric (e.g., from a sofa or car seat) or loose floor tiles with blood, carefully cut out the blood-stained portion of the fabric using a disposable scalpel or remove the loose tiles with a cleaned pry tool. Properly and safely discard the disposable scalpel in a sharps container.
- O.** If it is not possible to recover the bloodstained item or portion of the item, use swabs to recover samples from the bloodstain.
- P.** If members identify a blood trail at an incident scene they are processing, members shall follow the following procedures:

- Determine if the blood forms a trail and find its beginning and end (or endpoints if beginning and end are not clear).
  - Use alphabetical markers to identify the beginning, middle, and end of the observed blood trail.
  - Identify the areas of the blood trail where samples will be recovered.
  - Personnel need not recover samples from all stains/locations marked with a letter.
  - Take the following photographs to document the blood trail:
    - Overall photographs showing the evidence markers.
    - Midrange photographs showing the evidence markers and blood trail.
    - Close-up photographs showing the individual markers with blood stains.
- Q.** If members identify a visible fingerprint in blood or visible ridge detail (patent print) in blood, follow fingerprint guidelines. If no visible ridge detail is observed, members should collect a sample of the stain.
- R.** If members identify blood on a person whom they suspect has committed the crime they are investigating and they have them in custody, members shall do the following:
- Examine the hands for any visible blood. If observed, follow the procedures outlined in the section regarding collection and recovery of biological evidence (swabbing).
  - Package all sets of swabs individually in swab boxes and submit boxes collectively to EMU.
  - Document on the swab's immediate packaging (e.g., swab box or coin envelope), at a minimum, the following information:
    - Incident number (CC#)
    - Date
    - Collector's name
    - Description of item, to include what/where swabs were recovered
  - Swabs from different subjects shall be submitted in separate outer packaging.
- S.** Members should only obtain a DNA sample from an individual when legally authorized to do so, such as pursuant to a warrant or a warrant

exception (including voluntary consent) or when required by statute. See JHPD Directive #411, Search & Seizure.

- Whenever possible, members will request assistance from BPD Forensic Laboratory crime scene technicians to collect and preserve DNA samples for analysis.
- If BPD Forensic Laboratory crime scene technicians are unavailable, and with approval of a supervisor, members may collect DNA samples.

T. If necessary to collect DNA samples from individuals, members will do the following:

- Obtain an oral swab collection kit from the Forensic Biology Unit, Forensic Laboratory, when needed.
- Prior to use, inspect the oral swab collection kit to ensure that it has not expired.
- Adhere to the instructions included with the oral swab collection kit.
- Ensure a clean surface is used as a workspace.
- Do not attempt collection on subjects with an apparently compromised oral cavity. If the individual to be sampled has recently eaten, chewed gum or candy, or drunk a beverage, instruct the individual to rinse their mouth thoroughly with plain water.
- Don nitrile gloves **before** opening the sterile swab pack.
- Do not store swabs for submission in plastic bags.
- Read and complete all necessary forms included with the oral swab collection kit.
- Retain copies of all completed forms for the case/investigation folder.
- Submit the sealed kit with all forms enclosed to EMU.
- Submit a request for analysis to the Biology/DNA Unit. No analysis will be conducted until a request is submitted.

U. DNA samples required to be collected by MD Code, Public Safety, § 2-504(a)(3), from individuals who are charged with a crime of violence or an attempt to commit a crime of violence, or burglary or an attempt to commit burglary, are collected by the Baltimore City Central Booking and Intake Facility.

## **XV. Control of Property & Evidence by EMU**

Members of the JHPD are responsible for the protection of all property and evidence coming into their custody and control, including the management of an uninterrupted chain of custody of such items. (CALEA 84.1.2, 84.1.5)

- A.** In conformance with the MOU between BPD and the JHPD, the JHPD's property and evidence management functions are managed by EMU and are subject to BPD policies and procedures, including but not limited to BPD Policy 1401, Control of Property and Evidence and EMU's Standard Operating Procedures. (CALEA 84.1.1.h)
- The BPD EMU Commander serves as the Property & Evidence Control Manager and is assisted by the EMU staff.
- B.** Pursuant to BPD Policy 1401, Control of Property and Evidence and EMU's Standard Operating Procedures, EMU staff is responsible for:
- Safeguarding property and evidence from loss, misuse, theft, damage, or unauthorized destruction, and  
  
Ensuring evidence is handled and maintained to preserve its evidentiary value and maintain its chain of custody.
- C.** EMU is the central repository for the secure storage of seized and recovered property, evidence, and chain-of-custody records relating to seized or recovered property and evidence. (CALEA 84.1.2)
- Access to EMU and stored property and evidence is controlled by key access and is limited; as such, the only people allowed to be in those areas are:
    - EMU command and staff, and
    - Persons who are escorted and accompanied by the responsible commander or EMU staff.
  - EMU is open 24 hours a day, 365 days a year, to facilitate the continuous, uninterrupted submission of seized or recovered property and evidence. The temporary storage of seized or recovered property and evidence by JHPD members is not permitted. (CALEA 84.1.3)
  - Found property may be submitted at a BPD District Station utilizing the EMU found property drop boxes in accordance with EMU policies and procedures. (CALEA 84.1.2)
- D.** A locked vault within EMU is used to provide an extra measure of security for stored items that are sensitive or have exceptional value. The following items are considered sensitive or have exceptional value: (CALEA 84.1.1.e, 84.1.2)



- Money and negotiable instruments
  - Precious metals
  - Jewelry and gemstones
  - Weapons
  - CDSs
  - Other articles that are considered sensitive and/or present a heightened risk to the public
    - The vault stays closed and locked whenever EMU is not actively engaged in adding, removing, inventorying, etc. articles stored in the vault. (CALEA 84.1.2)
- E. EMU's submission room may be used by members to package recovered property and evidence as needed.
- F. The Deputy Chief of Administration or their designee will serve as the JHPD's property and evidence liaison (PEL) to EMU. Duties and responsibilities of the PEL include but are not limited to ensuring that the JHPD has an accurate record of the status of: (CALEA 84.1.1.h)
- All JHPD evidence, and
  - All found or recovered property that is controlled, documented, and secured at EMU by a member of the JHPD.

## **XVI. Submitting Property & Evidence to EMU**

- A. All property seized or recovered by members of the JHPD that is not immediately returned to the lawful owner or whose immediate owner cannot be identified shall be submitted to BPD's EMU for storage and safekeeping before the completion of the member's shift, except for certain found property as described in this Directive. (CALEA 84.1.1.b)
- Members will not store property or evidence in their offices, desks, lockers, vehicles, homes, or other places that are not under control of EMU.
  - Officers will not lose sight of their responsibility to safeguard apparently abandoned or lost property and will exhaust all reasonable means to identify, locate, and notify its owner to arrange for the timely return of their property. (CALEA 84.1.1.f)

- B.** All property and evidence recovered or seized by a JHPD member bearing a serial number shall be checked for stolen or ownership status through a National Crime Information Center (NCIC) query. For reporting purposes, property or evidence will only be considered recovered property if an active NCIC record is on file or the owner has been identified. (CALEA 84.1.1.f)
- C.** If no record of stolen property is on file, and no owner is immediately identified, and the property is not related to a crime, members in possession of the property shall consider it found property and submit it to EMU or the JHPS lost and found, pursuant to the following guidelines:
- Items that are sensitive or have exceptional value but are not of any evidentiary value, are recovered in relation to a JHPD call for service or incident under investigation, and are not general property may be submitted by JHPD members at the closest BPD district in the found property box.
    - This includes found CDSs (with no person identified as being suspected of possession thereof).
  - Items too large to fit in the found property box or those with potential evidentiary value shall be taken by the member to EMU.
  - If the property is not related to a call for service or incident under investigation by the JHPD, and the items are not considered sensitive or to have exceptional value and are rejected by EMU, the member may submit the property to the JHPS lost and found.
- D.** Prior to submission, members shall notify EMU personnel of any potential biohazard materials, hazardous materials, damaged items, safety concerns, or other circumstances related to the items.
- Before leaving a scene, members shall contact EMU for directions regarding items that pose a significant risk or cannot be stored in EMU (explosives, chemical hazards, combustible materials, etc.).
- E.** Follow the direction of EMU personnel regarding the safe handling and proper submission of all items.
- F.** EMU maintains a log of all transactions involving property and evidence, including JHPD-submitted property and evidence. Information contained in this transaction log includes but is not limited to: (CALEA 84.1.5)
- The date and time the property or evidence was received at EMU,
  - The case numbers assigned to the items,
  - From whom the items were received,
  - To whom or to what location the items were delivered, and

- The status of the property or evidentiary items, including final disposition.

## **XVII. Documentation, Packaging & Submission** (CALEA 84.1.1.d.g.h)

Officers submitting property to EMU shall complete and submit an Incident Report in conformance with JHPD Directive #470, Field Reporting System, before completing their assigned shift. The Incident Report narrative will detail the circumstances by which the property came into the agency's possession and describe each item of property obtained. (CALEA 84.1.1.a.c, 84.1.5)

- A.** With each item of property or evidence that a member submits to EMU, the submitting members shall include the following:
- Property receipt, and
  - Property envelope (for items small enough to fit inside the envelope), or
  - Property tag (for larger items like bicycles, televisions, etc., too large to fit in a property envelope or bag provided by EMU).
- B.** Submitting members shall adhere to the following guidance relating to specific types of general property:
- Electronics shall be submitted as general property. Larger items that cannot be bagged shall have a property tag affixed to them.
  - Fixed-blade knives shall be submitted as general property in a knife box provided by EMU personnel. A property tag shall be affixed to the item.
  - Folding knives shall be submitted as general property and placed in a property envelope provided by EMU personnel. In the event a folding knife is broken and cannot be folded, or if it will open on its own, place it in a knife box for safety.
  - For items that have special storage considerations, members shall notify EMU, including for items that must be preserved at cooler temperatures, which shall be refrigerated in EMU.
  - NOTE: Under no circumstance will EMU personnel accept perishable items (food, beverages, etc.). Nonperishable items (such as canned or bottled beverages, etc.) may be accepted under certain circumstances.
- C.** The submitting member shall follow all instructions of the EMU staff.
- D.** The submitting member shall ensure blue evidence tape is used to seal property/evidence packages that are submitted to EMU.

- E. The submitting member shall ensure that their initials, the item's identification number, and the date are placed across the blue evidence tape.
- F. The submitting member shall verify the accuracy of all information on the computer property receipt with the EMU staff.

## **XVIII. Biohazards & Arson Related Materials** (CALEA 84.1.1.d)

- A. For submission of dry biohazard items or evidence recovered by members to EMU, the submitting member shall do the following:
  - Package items that may be a biohazard prior to entering EMU, either in the field or in the designated Biohazard Room outside EMU.
  - Place small items individually into small plastic bags before placing them into a property envelope.
  - Place larger items individually into brown paper bags. Items too large to fit into paper bags shall be labeled with a property tag without packaging; however, any obviously contaminated areas shall be covered.
  - Each bag of items shall be numbered as it corresponds to the items listed on the Property Receipt Form.
  - Affix an "All Items Are Dry" sticker to each bag and initial the sticker.
  - Seal all paper bags with the tamper-evident, red biohazard tape. Sign and date across the seal, ensuring that the signature is on both the tape and the paper bag.
  - All individual paper bags shall be placed inside a larger red plastic biohazard bag by EMU personnel.
- B. For submission of wet biohazard items or evidence recovered by members to EMU, the submitting member shall do the following:
  - Place each item individually into a paper bag. Double or triple bagging of the items may be necessary to decrease potential penetration of the packaging and potential cross contamination.
  - If laboratory analysis of wet items may be requested or required in the future, complete and attach the Forensic Biology/Latent Print Processing Form to the outermost bag.
    - Check Evidence Preservation under the Forensic Biology Section of the form. Wet evidence will not be dried by the BPD Forensic Laboratory unless the proper request has been filled out and attached.

- Number each bag as it corresponds with the items listed on the Property Receipt Form.
  - Seal all paper bags with the tamper-evident, red biohazard tape. Sign and date across the seal, ensuring that the signature is on both the tape and the paper bag.
  - All individual paper bags shall be placed inside a larger red plastic biohazard bag by EMU personnel.
- C. When submitting arson-related items to EMU, the submitting member shall do the following:
- Place items in a paint can provided by EMU personnel or the Crime Scene Unit.
  - NOTE: The paint can is necessary because it prevents leakage and/or spillage from saturated items and preserves liquid accelerants/ignitable liquids for laboratory testing.
  - Arson-related items shall be loosely placed (not packed) in the paint can, and the can shall not be filled to more than 60% of capacity.
  - Once the paint can is filled, ensure the lid is completely sealed to prevent vapors from escaping.

## **XIX. CDSs & CDS Paraphernalia** (CALEA 84.1.1)

- A. For submission of CDSs recovered by a member to EMU, the submitting member shall do the following:
- Ensure that CDSs of like appearance or container type are not combined if found in separate locations on an individual or property.
  - Ensure that individual CDS submissions shall be made when CDSs are recovered from multiple individuals in the same incident.
  - Ensure that one submission shall be made if the CDS belongs to more than one defendant (i.e., constructive possession).
- B. For all CDS submissions to EMU, the submitting members shall include the following:
- Property Receipt Form,
  - Photo envelope,
  - Rectangular cardboard, and
  - Laboratory Information Management System (LIMS) entry if laboratory analysis is requested.

- C. NOTE: Not all CDS cases are analyzed by the BPD Forensic Laboratory. Determination as to whether analysis will be performed is on a case-by-case basis and is influenced by factors such as whether the case will be prosecuted and the circumstances of the arrest. Therefore, members submitting CDSs who do not seek to have the CDSs analyzed do not need to make a LIMS entry.
- D. For all CDS submissions to EMU, members shall package the CDS prior to arrival at EMU, when practicable. To package CDSs, members shall follow the following instructions:
- Separate CDSs on a flat surface based on:
    - The container type (e.g., clear plastic bag, brown paper bag, false-bottomed container, etc.),
    - The individual CDS packaging type (e.g., glass vials, gelatin capsules, Ziplock baggies, etc.), and
    - The appearance of the substance (e.g., white powder, tan powder, white rocks, etc.).
  - Arrange containers and CDSs to be distinguishable as individual items.
  - Use a numbered marker to identify each item/group of items (e.g., Item #1: Clear plastic bag containing green plant material; Item #2: 25 clear gelatin capsules containing a tan powder substance; Item #3: Brown paper bag containing green plant material; Item #4: 10 red-topped vials with white rock substance) consistent with the number of the item on the property receipt.
  - On a piece of cardboard, write the submitting member's name, sequence number, CC#, date, and unit of assignment.
  - Take two photographs of the CDSs and the cardboard and write the submitting officer's name on the lower section of the photographs. Be sure the photographs show the CDS count clearly.
  - Place each numbered item into a plastic bag. Mark each plastic bag with the number that corresponds with the numerical identifier in the photograph. Place each bag into a larger plastic bag. Heat seal the large bag or use blue evidence tape to seal the bag and sign across the heat seal or evidence tape.
  - Staple one photograph, the completed cardboard, and the property receipt to the outer plastic bag above the heat seal or blue evidence tape. The second photograph is to be maintained in the RMS case file.

- E. Members shall submit the CDSs to EMU personnel.
  - NOTE: Nonevidentiary CDSs may be submitted in the Found Property Box at the closest BPD district station.
- F. If laboratory analysis is requested, submitting members shall complete a LIMS entry.
- G. Members shall deposit the CDS submission into the “CDS mailbox” when instructed to do so by EMU personnel.
- H. CDS paraphernalia and packaging materials that do not have CDS residue shall be submitted to EMU as general property.
  - NOTE: Backpacks, purses, and other such carrying mechanisms for CDSs shall be submitted as general property.

**XX. Money** (CALEA 84.1.1)

- A. Members shall only submit money to EMU that is being treated as evidence. All other money found at the scene of an incident or in possession of a person that is in the custody of a member shall be treated by members as personal property and shall remain at the location of the incident, where found, or shall remain with the person taken into custody.
  - NOTE: Per BPD policy, members shall not submit money determined to be evidence of a CDS offense that amounts to less than \$100.00 to EMU but shall treat it as personal property and return it to the person suspected of committing the CDS offense. A member shall document the money by photographing it in the field and note the amount of money and the return of the money in the Incident Report.
  - If the money/currency is a victim’s personal property, is seized as evidence of a crime (robbery, burglary, etc.), and cannot be immediately returned to the victim, it shall be submitted to EMU.
- B. When money is recovered or seized as evidence, the member shall immediately notify a supervisor to respond to the scene and act as an inventory witness.
- C. The member shall, in the presence of the supervisor and the person the money was recovered from, conduct an inventory of the money.
- D. Members shall promptly report all money recovered, seized, returned, or left at an incident scene on the appropriate incident report, to include the total amount, denomination, and quantity, using the following format:
  - U.S. Currency and Coin Seized/Acquired

<b>Amount</b>	<b>Denomination</b>	<b>Quantity</b>
\$200.00	100s	2
\$50.00	50s	1
\$40.00	20s	2
\$10.00	10s	1
\$0.75	Quarters	3
\$0.20	Dimes	2
\$300.95	<b>TOTAL AMOUNT</b>	

- E.** Once inventoried, all seized money treated as evidence shall be submitted to EMU.
- EXCEPTION: Money that is seized pursuant to a joint investigation with another agency may be submitted following the guidelines and procedures established by that agency.
- F.** Members submitting money recovered as evidence to EMU shall include the following with all submissions of money:
- Property Receipt Form,
  - Seized Property Form,
  - Evidence envelope, and
  - A digital photograph of the money.
    - NOTE: The photograph need not show the serial number of each bill submitted. Money may be stacked by denomination and photographed or laid out and photographed in a manner that shows how many bills of each denomination are submitted.
- G.** Members shall verify the amount of money and inventory count with EMU staff and then place the money in the evidence envelope.
- H.** Members shall seal the evidence envelope with blue tape and sign and date across the seal.
- I.** Members shall ensure that valuable coin and currency collections shall be separated from general money submissions.
- J.** Members shall ensure that money that is used as an immediate container of CDSs, or for directly administering the substance (e.g., a CDS that is wrapped in money, or the money has been used as a snorting tube and has CDS residue), is submitted as a listed item with the CDS.



- K. Members shall ensure that money that may be contaminated by blood or other biohazardous materials shall be submitted as general property utilizing the biohazard precautions listed above.
- L. Except for biologically contaminated evidence that requires drying and special packaging, when processing money as evidence, members shall ensure that money from different people is not comingled or submitted in a single envelope or container. Members shall submit money recovered from separate locations or people individually and in separate packaging.

## **XXI. Requesting Laboratory Analysis** (CALEA 83.3.2)

- A. The JHPD uses only accredited laboratories for forensic analysis and testing.
- B. Submitting evidence and requesting laboratory analysis is normally the responsibility of the member who processed the incident scene, took custody of the evidence, and submitted it. Once evidence or property is submitted to EMU, the submitting officer shall request appropriate forensic testing to be performed.
- C. In most cases, the BPD Forensic Laboratory should be used for forensic analysis and testing. Once evidence or property is submitted to EMU, the submitting officer must make a request to the BPD Forensic Laboratory to perform the analysis:
  - To request serology/DNA analysis and/or latent print processing, the submitting member shall complete the Request for Examination—Forensic Biology/Latent Print Processing Form and submit it to the Forensic Biology Unit, located on the 10th floor of headquarters. Call 410-396-2675 with any questions.
  - To submit developed latent print lift cards, the submitting officer shall submit the lift card in an envelope and complete the Latent Print Unit Request Form and drop it off on the 10th floor of headquarters in the white mailbox.
    - For assistance during regular business hours, call the Latent Print Unit at 410-396-2290; after hours, contact the Crime Scene Unit at 410-396-2280.
  - For all other forensic testing requests not discussed in this Directive, contact the BPD Forensic Laboratory for guidance.

## **XXII. Removal of Property & Evidence from EMU** (CALEA 84.1.1.g)

- A. Property may be removed by JHPD members from EMU under limited circumstances (court trial, further investigation/testing, press conferences, etc.). If a member wishes to remove property from EMU, EMU requires the following:

- A photocopy of the JHPD Identification Card of the requesting member,
  - Completed Authorization for Removal of Evidence Form, signed by a lieutenant or above, and
  - A court summons or verification letter from:
    - A prosecuting authority,
    - The member's command, or
    - A JHPD Public Information officer.
  - NOTE: Forty-eight-hour notice is required to ensure all evidence is readily available.
- B.** Evidence removed for court may remain in its custody during a continuing trial. However, upon completion of the trial, members who have removed evidence from EMU are responsible for either:
- Ensuring the return of the evidence to EMU, or
  - Providing a receipt to EMU from the clerk of the court indicating that the evidence will remain in state custody.
    - EXCEPTION: Firearms and CDSs shall be returned by members to EMU at the conclusion of each day's court proceedings, no later than 8 p.m. that day.
- C.** When evidence is removed from EMU to be viewed by the news media, the seizing member shall remain present to ensure the chain of custody is maintained.
- Only the seizing member shall handle the evidence.
  - Upon completion of the media event, the seizing member shall immediately return the evidence to EMU.
  - All evidence removed from EMU shall be returned to EMU before the end of the member's shift.
- D.** Evidence returned to EMU with the seal intact may be returned to EMU personnel without the need to resubmit the item.
- E.** If the seal is broken on evidence being returned to EMU (other than CDS evidence), EMU personnel shall inspect and determine if additional inspection/reporting is required to resubmit the evidence to EMU.
- F.** Members shall adhere to the following guidelines when they take possession of CDSs submitted to EMU for court proceedings:
- The CDS evidence seal shall not be broken unless it is in the best interest of the case.

- NOTE: Due to the inherently dangerous nature of CDSs, and the development of new, more potent CDSs, prior to the opening of any CDSs in court, the member shall advise the court of the potential for unintentional exposure that could be dangerous, even in small amounts.
- Whenever possible, members shall recommend to the court or State's Attorney that a photograph of the CDS evidence be used, rather than bringing the evidence to or opening the evidence in court.
- CDSs are to remain in the custody of the member who removed the CDSs from EMU at all times. If the court or the Assistant State's Attorney requests the release of control of CDSs (if a member is sequestered, if the evidence seal is broken, etc.), the member shall submit an administrative report explaining the circumstances and the chain of custody to EMU personnel and include it in the RMS case file.
- Members shall not leave CDSs in court overnight; they shall be returned to EMU immediately following the day's proceedings, and no later than 8 p.m. Members who have not returned CDSs by 8 p.m. may be subject to disciplinary investigation.

### **XXIII.Retention of Property & Evidence by EMU** (CALEA 84.1.1.f.g,84.1.7)

- A. Property and evidence for any JHPD incident shall be retained by EMU until completion of the case, or until retention is no longer necessary.
- B. If criminal charges result in a conviction, evidence shall be held by EMU pending completion of the appeals process, or until the completion of the sentence.
- C. If a case is dismissed, or the subject is found not guilty, evidence shall be held by EMU pending either (1) a time period that coincides with the statute of limitations for that crime, as defined by the Maryland Annotated Code; or (2) direction from the OSA. In such cases that the OSA requests retention of the evidence, inquiries shall be made by the member as to the continued hold. EMU may construe not receiving a response to an inquiry regarding such a continued evidence hold as authorization to dispose of the evidence, so members must ensure they respond to EMU in a timely manner.
- D. NOTE: It is the responsibility of the member who submitted an item to determine the need to retain that item in EMU. EMU will send an Electronic Disposition Order (EDO) via email to the member responsible to inquire about the retention or disposition of items. The member responsible is required to respond to the inquiry. If no response is

received, it will be deemed by EMU that retention is no longer required, and the item may be disposed of by EMU.

- E.** Evidentiary property belonging to a victim or property owner shall be held by EMU until the criminal case ends.
- F.** In such cases, at the conclusion of the criminal matter, at least two attempts will be made to contact the property owner or victim (typically by phone and certified letter to the property owner's or victim's address of record), expressly informing the identified property owner or victim that they have 90 days from the date of delivery to claim their property. If the property is not claimed within 90 days, or if no contact can be made (a certified letter is returned as undeliverable, there is no response to communication by phone, there is no response to an email, etc.), EMU will dispose of the property.
- G.** Nonevidentiary property belonging to a victim or property owner shall be returned to the property owner or victim, if possible. Notification to the property owner or victim shall be made the same way as for evidentiary property.
- H.** All property deemed nonevidentiary and not bearing any identifying information (hand tools, knives, wallets without identification, etc.) shall be discarded within 90 days.
- I.** General property lawfully forfeited, or property otherwise eligible for destruction, may be converted to departmental use by BPD or auctioned/sold by BPD.
- J.** EMU shall handle all returns of firearms. JHPD members shall provide any information requested by EMU to process retention/return of firearms.
- K.** The submitting member will be the responsible member of record and shall inform EMU of a case's status and complete the EDO as soon as requested.
- L.** After adjudication in certain circumstances, or with a court order, firearms may be returned by EMU per BPD policy to an owner if the owner:
  - Can be identified,
  - Wishes the firearm to be returned, and
  - Is not prohibited from possessing a firearm, as determined through a background investigation.
- M.** The owner must comply with EMU's requests for documentation to have their firearm returned.

- N.** Per BPD policy, EMU shall handle all destruction of firearms. JHPD members shall provide any information requested by EMU to process destruction of a firearm.
- O.** Per BPD policy, firearms submitted to EMU will be destroyed in the following circumstances:
- After adjudication resulting in a conviction, or if forfeiture of a firearm is ordered by the court,
  - The owner is prohibited from possessing a firearm and does not complete a lawful transfer to a person who is not prohibited,
  - The owner cannot be identified or contacted after reasonable attempts (e.g., correspondence is undeliverable, or the claimant does not respond to EMU's correspondence within 90 days), or
  - The owner wishes the firearm to be destroyed.
- P.** When there is a need, firearms and ammunition that would otherwise be destroyed by BPD may be converted to BPD property. These items may be used:
- As reference firearms in the Firearms Unit collection,
  - As training implements (e.g., red-handle handguns and shotguns),
  - For operability testing, or
  - For any other lawful purpose.
- Q.** Notwithstanding EMU requests for EDOs, the EMU PEL is responsible for:
- Entering property and evidence information into the JHPD's property and evidence database,
  - Assigning initial review dates, and
  - Submitting a list through the chain of command to the Deputy Chief(s) of Police of items that:
    - May be eligible for disposal in the current month,
    - Are verified from the previous month as being eligible for disposal, and
    - Members have not responded to from previous lists.
  - Proceeding on a monthly basis to appropriately act on verified disposition reviews and ensure EDOs are properly submitted to EMU.
- R.** Supervisors are responsible for ensuring disposition verification requests are:

- Distributed to their respective members under their command, and
  - Completed and returned to the PEL by established dates.
- S. Submitting members are responsible for the following:
- Researching cases to determine disposition recommendations by using sources that include but are not limited to:
    - RMS, and
    - Maryland Judiciary Case Search.
  - Completing EDO records consistent with the incident disposition.
  - Writing RMS case updates that clearly describe authoritative reasons for their disposition recommendations.
  - Submitting approved EDOs to EMU.
- T. Members of the JHPD are not authorized to use any property or evidence recovered from a JHPD incident for investigative or training purposes.

## **XXIV. EMU Inspections & Audits**

Personnel assigned to EMU ensure that all property and evidence storage area doors are secure and the storage space is maintained in a clean and orderly manner.

- A. **Semiannual Inspection:** The commander of EMU or their designee will ensure a documented inspection is conducted semiannually by a designee to determine adherence to property- and evidence-related procedures. (CALEA 84.1.6.a)
- These inspections are conducted to determine that:
    - Property integrity is being maintained,
    - Related directives are being followed,
    - Property is being protected from damage or deterioration,
    - Proper accountability procedures are being maintained,
    - Property and evidence are being disposed of promptly, and
    - The property and evidence room, submission room, and storage areas are clean and orderly.
- B. **Change of Property & Evidence Manager:** A documented audit of property and evidence occurs whenever a new Commander of EMU is assigned to and/or transferred from the position. (CALEA 84.1.6.b)
- The audit is conducted jointly by the newly designated Commander of EMU or property and evidence custodian and personnel assigned by the Chief of Forensic Science and Evidence for BPD to ensure that records are correct and properly annotated.

- The audit shall include a representative sampling of the total number of high-risk items (e.g., money, precious metals, jewelry, firearms, and drugs) and an examination of associated property records in accordance with Appendix I of the current CALEA Law Enforcement Standards.
  - An error rate of over 4% requires a full inventory of all high-risk items.
- For general property, the audit will be of a sufficient number to ensure the integrity of the system and accountability of property.
- All discrepancies will be recorded in the audit report prior to the assumption of property and evidence accountability by the newly assigned property custodian.

**C. Annual Audit:** A documented audit of property and evidence under control of EMU is conducted yearly by an employee who is not routinely or directly connected with the property and evidence function, to ensure the integrity of the system and accountability of property. (CALEA 84.1.6.e)

- A representative sample of property and evidence should be sufficiently large enough to establish confidence that proper procedures and systems are being followed. The sample size shall not be fewer than 100 high-risk, in-custody items:
- While the annual audit may review a small percentage of total items in custody, it should be recognized that it is only one of several actions that are necessary to maintain control and accountability. Other actions include both semiannual and unannounced annual inspections and the in-depth audit whenever there is a change in the EMU Commander.

**D. Unannounced Inspection:** At least one unannounced inspection of the property and evidence storage and processing areas will be conducted yearly as directed by the Chief of Forensic Science and Evidence for BPD or their designee. (CALEA 84.1.6.d)

- The purpose of the inspection is to ensure the continuity of custody and not to require the accounting of every single item of property.
- The scope of unannounced inspections will include inspecting for cleanliness and orderliness and tracing the accuracy of records in comparison with a few pieces of property and evidence to ensure they are accounted for and in the location described by related evidentiary records.

## XXV. **Training** (CALEA 83.2.1.c)

All JHPD members will receive entry-level and ongoing training regarding the processing, collection, preservation, and submission of evidence. Training may include best practices of evidence collection, crime scene photography, assessment, recovery of latent fingerprints, biological and trace evidence, and all other aspects of incident scene management.

## Policy Enforcement

<b>Enforcement</b>	Police Department managers and supervisors are responsible for enforcing this Directive.
<b>Reporting Violations</b>	Suspected violations of this Directive should be reported to PSAU.

## Related Resources

<b>University Policies and Documents</b>
Operational Procedure #411, Search & Seizure
<b>External Documentation</b>
Baltimore Police Department, Policy 1401, Property and Evidence Management Baltimore Police Department Evidence Management Unit, Standard Operating Procedures Baltimore Police Department Forensic Science and Evidence Services Division Crime Scene Unit, Standard Operating Procedure Baltimore Police Department Forensic Science and Evidence Services Division Crime Scene Unit, Technical Manual
<b>Police Department Forms and Systems</b>

## Contacts

<b>Subject Matter</b>	<b>Office Name</b>	<b>Telephone Number</b>	<b>Email/Web Address</b>
Policy Clarification and Interpretation	Policy Management	(667)306-8618	<a href="mailto:jhpdpolicyinquiry@jh.edu">jhpdpolicyinquiry@jh.edu</a>