

	MEDFIELD POLICE DEPARTMENT	POLICY NO. 6.02
EVIDENCE MANAGEMENT		
<p>MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 84.1.1, 84.1.2, 84.1.3, 84.1.4, 84.1.5, 84.1.6</p>		<p>DATE OF ISSUE: 07/23/2023</p> <p>EFFECTIVE DATE: 07/23/2023</p> <p>REVISION DATE: 10/31/2025</p>
<p>ISSUING AUTHORITY:</p> <p>Michelle Guerette Chief of Police</p>		

BACKGROUND:

As part of their responsibilities, police officers come into possession of evidence that varies widely in nature, value, and condition. Items of evidence are subject to strict legal constraints and under control of the Department's Evidence Officer.

Storing, safekeeping, and managing evidence are major responsibilities, not only for the evidence custodian, but also for all officers in the Department. Failure of departments to establish effective and efficient systems to gather, manage, and secure evidence can lead to civil and criminal charges against officers and the inability of the criminal justice system to successfully prosecute criminal offenders.

POLICY:

The Medfield Police Department will effectively and efficiently manage and control all evidence coming into the custody of the Department. To prevent the accidental addition of fingerprints, gloves shall be used when handling evidence items. All evidence will be properly and lawfully preserved, packaged, recorded, accounted for, handled, and stored prior to the officer's end of his tour of duty, or under exceptional circumstances as defined under policy. Evidence that is no longer useful or is potentially dangerous will be disposed of as provided by law.

PROCEDURES:
Handling of Evidence

It is necessary that evidence be carefully accounted for in order to minimize the possibilities of adverse claims against the Department and to enhance its credibility when presented in court. To ensure this, the following procedures shall be followed:

1. Following receipt or confiscation of evidence, the officer shall promptly return it to police headquarters.
2. Evidence shall not be left unattended or unsecured at any time.
3. No evidence or contraband will be stored by any member of the Department in his office, desk, locker or other personal area.
4. Evidence handling shall be kept to a minimum, and done so with care to protect the evidentiary value of the item.
5. The chain of custody shall be carefully maintained with as few persons as possible handling the evidence.
6. No member of the Department shall take, use, or convert to personal use any item that has been received by the Department, other than for those purposes sanctioned by the Department.

Submission of Evidence

All evidence which comes under the control of this Department shall be properly recorded in the Department's Information Systems (IMC) and within the officer's report, consistent with the procedures outlined in this directive, prior to the end of their tour of duty. All evidence shall be handled in accordance with the Department's policies and procedures for the Evidence Collection. [84.1.1(a)(b)]

1. Included in each officer's report shall be information on how the evidence came into the Department's possession and a description of each item. [84.1.1(c)]
2. The officer shall make an entry in his report indicating where he has placed the evidence, print out a copy of his report, and place it in an empty evidence locker.
3. All evidence shall be appropriately packaged, sealed, and marked for identification by the Evidence Officer prior to storage in the evidence room. When possible, all items of evidence should be packaged in plastic bags and documented after they have been processed for prints, with the exception of firearms evidence. Evidence with biological material in it shall not be packaged in plastic. A paper bag should be used in this instance. Evidence that is too large for a bag shall be marked by affixing an appropriate evidence label to the item. [84.1.1(d)]
4. The Shift Commander shall ensure the evidence is packaged properly and immediately stored securely in an evidence locker. [84.1.3]

5. If evidence requires further specialized processing by the Bureau of Criminal Investigation (BCI), the Massachusetts State Police Laboratory, or the FBI Laboratory, the submitting officer shall request that the evidence be analyzed and notify the Evidence Officer in writing by sending an email to the Evidence Officer, or by making a notation in the incident report that is submitted with the evidence. See departmental policy on Evidence Collection for further information.

6. Accuracy and completeness are important. Items not properly submitted will be returned to the officer or his supervisor for corrective action and resubmission.

7. The Evidence Officer will remove all evidence from evidence lockers as often as possible and store each item in the appropriate evidence storage location.

Security and Access to Evidence Storage

The Department shall maintain areas for the secure storage of evidence. These areas shall be secured at all times when unoccupied.

1. Only those officers authorized by the Chief of Police shall access the areas used to secure evidence.

2. An electronic record consisting of pass key records and video will be maintained reflecting the entry into any secure evidence room by name, date, and time in and out.

Evidence Officer

The Deputy Chief will have overall control of the management of evidence. The Chief of Police shall designate an officer (Evidence Officer) to be accountable as the official custodian of all evidence in the custody of the Department. This officer is responsible for maintaining control of the records and inventory system for all evidence coming into police custody.

The Evidence Officer shall receive all evidence. His duties shall include, but not be limited to, the following functions:

1. Remove all evidence from evidence lockers and move it to the Department's evidence room.

2. Ensure that all evidence is properly packaged and accurately documented.

3. When moving a piece of evidence, record in the IMC computer system where each piece of evidence is stored.

4. Maintain all necessary Department computer entries.

6. Ensure that evidence needing forensic examination is submitted to the appropriate laboratory in a timely fashion, and is returned to Police Headquarters as soon as testing is completed.

7. Dispose of evidence that is no longer needed in accordance with Department policy and Massachusetts law.

8. Maintain a written record of all evidence and property being held or used by the Department for training or investigative purposes. [84.1.4]

Evidence Records

The Department has established a computerized system for documenting the receipt and status of evidence into the Department's evidence room. Evidence records will include the following information: [84.1.4] [84.1.5]

1. Date and time evidence was received or released;
2. Case number of the incident;
3. Defendant's name, if applicable;
4. Owner's name, if applicable;
5. Locations where submitting officer placed the evidence and where in the evidence room the evidence is stored;
6. Evidence category;
7. Description of the evidence, including manufacturer and model and serial numbers, if appropriate; and
8. Tracking record of the chain of custody from time stored until final disposition.

Release of Evidence [84.1.1(g)]

In most cases, evidence will be removed from the Department's evidence room by the Evidence Officer and transported to court by the Court Officer. In some circumstances evidence will be given to the officer involved in the case and transported to the court by that officer. Evidence from closed cases, if there is a destruction order in place, or property that belongs to the Department may be used for training and investigative purposes and shall be released for use in the same manner as active evidence. [84.1.4]

1. Whenever evidence is to be removed from, or returned to, an evidence room an entry will be made into the department computer system.
2. Any officer taking evidence to court must return it on the same day, unless otherwise directed by an assistant district attorney or judge.
3. When evidence is being returned to the evidence room, the officer returning the evidence will examine it to ensure that it is the same evidence that was logged out, and that it is in the same condition as when it was logged out. Any unexpected or unexplained change or alteration of the evidence shall be immediately reported in writing to the Chief of Police.

4. In the event that the evidence cannot be returned immediately to the evidence room, the items will be placed into an evidence storage locker.

5. Upon the return of a piece of evidence, the Evidence Officer shall make the appropriate computer entry indicating where it has been placed.

Firearms [84.1.1(e)]

Firearms are a potentially dangerous form of evidence. All firearms coming into custody or control of the Department will be handled with the strictest safety considerations in mind. All evidentiary seized or recovered firearms will be brought directly to Police Headquarters. At no time will seized/recovered firearms be left unattended in a cruiser.

Prior to determining whether the firearm is loaded, the recovering officer should determine whether the weapon needs forensic examination. Weapons needing examination should not be unloaded prior to processing at the scene by a qualified detective or criminalist. All firearms not requiring further examination will be checked for ammunition as soon as practicable in a safe area to minimize the risk of an accidental discharge.

All firearms not requiring forensic examination shall be left in a safe, unloaded condition, with their action open. Any ammunition removed from the firearm will be placed in a separate evidence bag and submitted with the firearm. Firearms will be secured in the secured evidence room or placed in an evidence locker. Long term storage of firearms will be in the secure section within the evidence room.

All firearms will be checked through the CJIS/NCIC computer system before being turned in to the Evidence Officer. A copy of the computer printout will be attached to the officer's report.

Cash Seizures [84.1.1(e)]

Upon the seizure of currency that is to be placed into evidence, the officer shall immediately notify his supervisor who shall, if possible, witness its proper documentation, recovery and seizure.

At no time will the money leave the presence of the officer and/or the supervisor until it is placed in an evidence locker. Both the officer and the supervisor will participate in the counting and packaging of the money and will ensure that it is properly and immediately secured. This shall be documented in the associated case report.

Cash and other highly valuable items will be stored in the secure area within the evidence room.

Perishable Items [84.1.1]

In the case of biological evidence, such as a sexual assault kit, or items bearing blood or urine stained clothing that is wet, these types of items must be allowed to dry prior to packaging. Biological evidence should not be packaged in plastic containers, but in paper containers. These items shall be placed in the evidence locker refrigerator and brought directly to the State Police Laboratory within a reasonable period of time.

The appropriate forms will be filled out by the Evidence Officer prior to evidence submission. Evidence that does not need to be sent in for testing/analysis does not need to be stored in the secured bulk evidence refrigerator.

Combustible Liquids

Ignitable evidence such as gasoline, toluene, paint thinner, etc., shall be brought to the attention of the Shift Commander who will determine the appropriate storage. Officers should use the safest method of transportation available if it becomes necessary to transport any type of combustible liquid. Ignitable liquids are volatile and easily lost through evaporation. Evidence should be preserved in airtight containers, such as metal paint cans, glass jars, or heat sealed plastic bags that are approved for fire debris. Do not fill the containers to the top and package evidence to prevent breakage.

Oversized or Large Quantity Items [84.1.1]

Oversized single items and large quantities of smaller items can be a burden upon the temporary storage locker system. The primary option for large items is being secured in the evidence room. Large or unwieldy items such as recovered bicycles, or other large objects, may be secured in the back fenced area in the garage of the police station if they are only recovered property. If they are connected to a crime then they should be stored in the evidence room. Vehicles shall be locked in the sally port, garage or in evidence as feasible.

Explosive Devices

Under no circumstances will explosive devices such as dynamite, hand grenades, blasting caps, be brought into Police Headquarters.

When an explosive device or suspected explosive device is located, the officer locating the device shall inform the Shift Commander, who shall notify the State Police Bomb Squad.

Items of an evidentiary nature shall, upon being rendered safe, be properly marked and packaged.

If fireworks become evidence they shall be brought to the attention of the Shift Commander who will determine the appropriate storage depending on the size and type of firework. Once fireworks devices are rendered safe they may be stored in the evidence area as they are no longer considered to be an explosive device. Rendering safe may include, but not be limited to, removal of gunpowder or soaking the device in water.

Disposition of Evidence [84.1.1(g)]

When a final disposition is reached in court concerning a case, the Court Officer shall notify the Evidence Officer of the disposition. The Evidence Officer will promptly notify the owner to arrange for the return of the evidence if appropriate, or dispose of it according to Massachusetts General Laws. When evidence is removed from the custody of the Department for final disposition, the Evidence Officer will log the property out in the computer system. If an officer other than the Court Officer or Evidence Officer has logged the evidence out, he shall notify the Evidence Officer of the final disposition of the case.

No evidence shall be released or disposed of if the case is under appeal, and all evidence shall be retained in accordance with M.G.L c. 278 § 16 which states:

Preservation of evidence and biological material. (a) Any governmental entity that is in possession of evidence or biological material that is collected for its potential evidentiary value during the investigation of a crime, the prosecution of which results in a conviction, shall retain such evidence and biological material for the period of time that any person remains in the custody of the commonwealth in connection with that crime, without regard to whether the evidence or biological material was introduced at trial. Each governmental entity shall retain all such evidence and biological material in a manner that is reasonably designed to preserve the evidence and biological material and to prevent its destruction or deterioration. (b) The secretary of the executive office of public safety and security shall promulgate regulations governing the retention and preservation of evidence and biological material by any governmental entity, which regulations shall include standards for maintaining the integrity of the materials over time, the designation of officials at each governmental entity with custodial responsibility, and requirements of contemporaneously recorded documentation of individuals having and obtaining custody of any evidence of biological material.

Individuals claiming ownership of evidence in the custody of the Department will be required to provide proper identification and sign a property receipt before taking possession of such property. Any evidence that becomes the subject of controversy as to its rightful owner shall not be released to any person, except by written order of the Chief of Police or by a court order.

Drug Evidence [84.1.1]

The establishment and maintenance of proper drug handling procedures is necessary to ensure the successful prosecution of cases in court, as well as to prevent the allegation of theft of or tampering with narcotic evidence. The following procedures shall be adhered to whenever any narcotics or dangerous drugs come into police custody or are to be released from Department custody. Drug evidence shall be stored in the drug locker within the evidence room. Drug evidence shall include any item that is deemed to be a narcotic and any paraphernalia associated with its use.

Drug Records

The Department has established a system for documenting the receipt and status of drugs coming into or being released from the Department's secure drug storage areas. [84.1.5]

In addition to the information described above, drug records will include a count and description of the drug evidence (such as 10 packets containing cocaine, 5 rolled marijuana cigarettes, etc.).

Drugs are stored in the temporary evidence locker until removed by the Evidence Officer and secured in the evidence room.

Submission of Drug Evidence

Procedures outlined above in this policy shall be followed by officers submitting drug evidence.

Hypodermic needles that have suspected drugs in them are not currently being tested by the Massachusetts State Police Laboratory. Hypodermic needles should not be collected unless they are used as an instrumentality of a crime, such as assault by means of a hypodermic needle. Hypodermic needles that are inadvertently located shall be placed into approved syringe tubes prior to being placed into an evidence bag and properly destroyed.

Drug Removal [84.1.1(g)]

Only the Evidence Officer will remove drugs from the Department's secure storage areas. General procedures for the removal of evidence shall apply to drug evidence as well.

Drugs will be transported to the Massachusetts State Police Crime Laboratory for analysis within a reasonable time of their seizure by the Evidence Officer or by a detective if the Evidence Officer is not available. He will indicate in the Department's Information Systems (IMC) the date that they were brought to the lab.

If the package appears to have been tampered with in any way, the Evidence Officer shall count and/or weigh the contents and verify the listed count/weight noting if there is, or appears to be, any discrepancy. The Evidence Officer will immediately submit a report to the Chief of Police detailing the incident. The Chief will immediately notify his designee which will initiate an immediate investigation. As part of that investigation, the individual designated by the Chief will conduct a full inventory and audit of all drugs and drug records.

When a final disposition is reached in court concerning a case involving drugs, the Court Officer shall notify the Evidence Officer. Prior to destroying drug evidence, the Evidence Officer will ensure that the case has not been appealed.

When drugs are removed for destruction, the Evidence Officer will log them out in the Department computer system indicating DESTRUCTION as the reason they were logged out, and the date of the destruction.

Original copies of all drug destruction records shall be maintained by the Evidence Officer.

Photographing and Release of Victim's Property

In cases where retaining the evidence, such as perishables or cash needed to meet payroll obligations, would prove an extreme hardship for the victim, the victim's property may be photographed, the photograph to be admitted in judicial proceedings as competent evidence.

The property may then be released to the victim prior to trial, provided that, in the opinion of the Shift Commander, the Deputy Chief, the case detective, or the Court Officer, the return does not compromise prosecution of the case.

In determining whether or not to return the property to the victim, officers must weigh the hardship created for the victim against the value of the evidence in future court proceedings. Before impounded evidence is returned, it will be photographed in a manner that clearly identifies the property so that it may be admissible in court as competent evidence. Digital photography is the preferred method for photographing such evidence.

The officer will indicate in his report that the items were photographed and returned to the owner. The owner must sign for the returned evidence on a departmental returned property form.

Evidence Room Inspections

The Department's evidence rooms, as well as evidence records and drug records, are to be inventoried according to the following schedule:

At least semi-annually, an officer designated by the Chief of Police shall conduct an investigation of all departmental evidence and property storage areas to ensure that: [84.1.6(a)]

Evidence and the records relating thereto, are being maintained in full compliance with the procedures outlined in this directive, and that proper accountability procedures are being maintained; to include:

1. Evidence is properly stored and protected from damage and/or deterioration;
2. Evidence having no further evidentiary value is being disposed of promptly; and
3. The evidence rooms are being maintained in a clean and orderly condition.

In order to ensure the integrity of the Department's Evidence Management System, a supervisor not routinely connected with the property/evidence function assigned by the Chief of Police will provide for a full inventory and accounting of all property and drugs held by the Department and will submit a report of his findings to the Chief of Police. [84.1.6(c)]

The Deputy Chief or his designee will conduct an annual inventory of seized monies to ensure accuracy of inventory and to keep track of forfeitures.

In addition to and in support of other regularly scheduled inspections, the Chief of Police shall conduct an unannounced inspection of the Department's property rooms and drug storage areas on an annual basis. Accountability and security procedures will be the primary focus of this inspection. [84.1.6(d)]

Inspection/audit records will be filed in the administrative office by the supervisor conducting the inspection/audit.

Evidence Officer Reassignment

Should the Evidence Officer be reassigned, there shall be an inventory and inspection of the records of all evidence/property or drugs in custody by: [84.1.6(b)]

1. The former officer,
2. The new Evidence Officer, and
3. a member selected by the Chief of Police.