

	<b>MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES</b>	
	<b>Subject</b> <b>PROPERTY MANAGEMENT AND EVIDENCE CONTROL</b>	<b>Policy Number</b> <b>GE-3</b> <b>Effective Date</b> <b>04-23-24</b>
<b>Related Information</b> Arizona Revised Statutes CP-6, <i>Bloodborne Pathogens</i> EA-8, <i>Domestic Violence</i> GC-17, <i>Employee Disciplinary Procedures</i> GJ-3, <i>Search and Seizure</i> GJ-5, <i>Crime Scene Management</i> GJ-12, <i>Next-of-Kin Notification</i> GJ-23, <i>Firearms</i> GJ-35, <i>Body-Worn Cameras</i> GJ-36, <i>Use of Digital Recording Devices (Non Body-Worn Cameras)</i> GM-1, <i>Electronic Communications, Data and Voice Mail</i>		<b>Supersedes</b>  GE-3 (06-20-23)
<b>Version Date</b>	<b>Review Period</b>	<b>Description of Review</b>
04-23-24	July 2024 – June 2025	Statement of Annual Review – No Changes

**PURPOSE**

The purpose of this Office Policy is to establish guidelines and procedures for the management, control, release of found, recovered, seized, and evidentiary property.

Although this Office Policy refers to employees throughout, this Office Policy also applies with equal force to all volunteers. Volunteers include, but are not limited to, reserve deputies and posse members.

**POLICY**

It is the policy of the Office to ensure that all property and evidence seized by employees is properly marked, packaged, documented, secured, and disposed of in accordance with state law and Office Policy. This is to prevent property and evidence from being lost, damaged, or destroyed improperly; and to release property to its rightful owner whenever possible.

**DEFINITIONS**

**Acceptable Identification (ID):** Current identification documents such as a driver’s license, state-issued identification card, passport, consular identification card, or military identification card, which contains at a minimum the individual’s name, date of birth, sex, and a clear photograph. This also includes an Arizona Mobile ID (mID) digitized companion version of an Arizona driver’s license or identification card.

**Biological Evidence:** Any biological material such as hair, tissue, bones, teeth, blood, semen, or other bodily fluids, or evidence items containing biological material (DNA Initiative 2012).

**Case Agent:** The lead investigator designated for a specific investigation. The case agent is responsible for overall management of the case. This would include delegation of investigative tasks, lead tracking, collection of supplemental reports and other relevant case documentation, verifying all evidence is impounded, packaging the case for prosecution, and assisting the prosecutor with the presentation for the case in court proceedings, and providing a final disposition approval of all property and evidence held in reference to the investigation at the conclusion of the case.

**Chain of Custody:** The complete and sequential documentation of all persons having control over an article of physical or digital evidence between the time it is collected and when it is offered into evidence at a judicial proceeding. This documentation consists of the names and serial numbers of all employees assuming control of the evidence, and the dates, times, and places the control is assumed or transferred.

**Contraband:** An item whose introduction or possession is specifically prohibited within an Office facility.

1. **Administrative Contraband:** Any item not specifically included in the definition of contraband in Arizona Revised Statutes (ARS) 13-2501, which has nonetheless been prohibited by the Sheriff for possession by inmates, including, but not limited to, money, jewelry, tobacco products, and fire-producing items, or any item not in an original or usable condition. Administrative contraband, although not considered to be criminal contraband, may in some cases become criminal evidence, if found or recovered in connection with a criminal act, such as an extortion attempt or a drug transaction.
2. **Criminal Contraband:** Any item specifically defined in ARS 13-2501, such as dangerous weapons or drugs.

**Deoxyribonucleic Acid (DNA):** A molecule that encodes the genetic instructions used in the development and functioning of all known living organisms and many viruses.

**Digital Media:** Audio, photo, and/or video recordings.

**Dispose:** The transfer of property by its return to the owner, sale, conversion or destruction, or by any other means of disposal.

1. **Auction:** The legal sale of property from which the proceeds shall be paid to a general fund or RICO fund of the jurisdiction.
2. **Destruction:** The physical demolition of property rendering it useless.
3. **Diversion:** The process by which the ownership of abandoned, forfeited, or unclaimed property, that has a useful value to the Office, is legally transferred to the Office.

**Employee:** A person currently employed by the Office in a classified, unclassified, contract, or temporary status.

**Evidence:** Material that has probative value intending to prove or disprove a material fact in a criminal or civil case.

**Exigent Circumstances:** The sum of the conditions and information available in any event which, taken in totality, dictates a need for immediate action.

**Found Property:** Items which are recovered, lost, surrendered, abandoned, or otherwise received property that is non-evidentiary and is turned over to a public agency where the owner may or may not be known. Found property is **impounded and** disposed of as per ARS 12-941 if it is not claimed after 30 calendar days. Before submitting found property to the Property Management Division, employees shall make a reasonable effort to locate and return the items to their rightful owner.

**Known Source:** A sample derived from a person or thing to be compared to physical evidence collected at the scene of an incident. A known source sample becomes physical evidence at the time it is obtained.

**Packaging:** The approved manner in which items with potential evidentiary value are wrapped, bagged, or boxed to be preserved, documented, and labeled.

***Pathogen:*** An agent capable of causing disease in humans.

***Physical Evidence:*** Any substance or material which can be seen, touched, and may be found or recovered in connection with a criminal investigation.

***Property:*** Any items, including currency, that are held for safekeeping, as evidence, found property, or which has been abandoned, unclaimed, or awarded by the court.

***Property and Evidence/QueTel System:*** An electronic system that serves law enforcement for evidence management, property management, processing, and tracking of evidence and property. The Dashboard is an application within this System.

***Property Receipt:*** A detailed form issued to a person or responsible party for any property taken as evidence, found, or safekeeping by an Office employee in the performance of their official duties.

***Qualified Person:*** Any physician, registered nurse, paramedic, phlebotomist, or other person certified by the State of Arizona to draw blood in a medical capacity. Office qualified phlebotomists are required to attend a refresher phlebotomy course every two years to be considered a qualified person.

***Right of Refusal:*** The authority granted to Property Management Division personnel to reject and notify the employee and the supervisor that the property or evidence is improperly packaged or documented and requires corrective action.

***Safekeeping Property:*** Non-evidentiary property that is placed in the custody of the Office for temporary protection on behalf of the owner and is available for immediate release to the rightful owner. Safekeeping property is disposed of if it is not claimed after 30 calendar days.

***Seized Property:*** Property acquired through involuntary surrender by warrant or a warrantless search. Items taken as evidence should be categorized as both seized and evidence.

***Temporary Storage:*** The period of time between when an item is submitted until the time the item is actually received by the Property Management Division.

***Transfer of Custody:*** The transfer of any article of physical evidence from one person to another, with the receiver assuming responsibility for that evidence while under their control.

***Volunteer:*** A person who performs hours of service for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. An employee may not volunteer to perform the same, similar, or related duties for the Office that the employee is normally paid to perform.

## **PROCEDURES**

1. **Hours of Operation:** Normal business hours for the Property Management Division officer's window is 0700-1600 and the public window is 0900-1600, Monday through Thursday. The Scientific Analysis Division hours are 0700-1630, Monday through Friday, with the exception of holidays. Property Management Division Night Drop is accessible after normal business hours, including evenings, weekends, and holidays.
2. **After-Hours Access and Night Drop:**
  - A. After-hours access is any time when the Property Management Division is closed. Only four areas are accessible after-hours, the rear gate, the exterior night-drop door, the back lot gate, and the RapidHIT Lab only by authorized personnel; all other areas shall remain secured at all times.

- B. All required packaging and manual forms shall be available in the night-drop area of the Property Management Division.
- C. All evidence, safekeeping, found property left in the night drop area shall be entered into the Property and Evidence/QueTel System using the night drop deposit location. The Property Management Division has a barcode printer available for use by employees delivering items to the Property Management Division night drop. This printer is identified in the Property and Evidence/QueTel System as "SATO barcode printer." All procedures apply to any property left in the night drop area. Failure to complete any task shall result in the item being rejected. The employee responsible for leaving the evidence or property shall return to the Property Management Division during normal business hours to address any issue regarding rejected property.
- D. Property Management Division personnel shall be responsible for electronically providing the case agent a Transfer Receipt after accepting the items in the night drop by the next business day.

**3. Rules:**

- A. No unauthorized person shall be allowed access or entry into the Property Management Division Warehouse. In order to maintain the integrity of stored property and/or evidence, employees and visitors having official business within the area shall register on the Maricopa County Sheriff's Office Lobby Sign In/Out system upon arrival and departure and shall be escorted by Property Management Division personnel for the duration of their official business.
- B. Employees are responsible for properly reporting, documenting, securing, and impounding any property that is being held as evidence, found property, or safekeeping property, which comes into their possession during the course of their regular duties, and prior to the end of the shift in which it was seized or recovered. Before submitting found property to the Property Management Division, employees shall make a reasonable effort to locate and return the items to their rightful owner.
  - 1. Only under exigent circumstances, such as the result of an extensive investigation where mass quantities of evidence must be processed and it is not feasible to complete prior to the end of shift, and with prior approval from the respective division commander responsible for the investigation, shall an exception be made to completing the impounding process by the end of shift. An extension of time may be required for processing criminal incidents to include, but not limited to retail theft rings, home burglary rings, arsons, arson involving homicide, homicide, and vehicle chop shops.
  - 2. When determined necessary, the on-scene supervisor shall request approval for an extension of time from the respective division commander responsible for the investigation. Following an approved extension of time, the property shall be promptly addressed by the end of the following shift. All extension of time approval information shall be documented in the IR by the investigative case agent.
  - 3. Confiscation of evidence or property for personal use, failure to turn in all evidence or property, or any other willful deviation from this Office Policy may result in disciplinary action, up to and including dismissal from employment, as specified in Office Policy GC-17, *Employee Disciplinary Procedures*.
- C. An *Incident Report* (IR) shall be completed in the Traffic and Criminal Software System (TraCS) for all impounded items, or confiscated items that are disposed of, as specified in this Office Policy.

- D. All items to be impounded shall be impounded under the IR number and shall be entered through the Property and Evidence/QueTel System. Each item shall be given a bar code and tracked until it is released or disposed of.
- E. When property is taken, confiscated, seized, or collected from a **person's possession, other than items which cannot be legally possessed or retrieved**, and with the exception for those items otherwise identified in this Office Policy, the individual shall be issued a detailed *Property Receipt*. The *Property Receipt* shall be signed by the individual who had the property confiscated, seized, or collected from. The signed copy of the *Property Receipt* shall be submitted to the Property Management Division. In the event the *Property Receipt* cannot be signed by the individual, the reason shall be documented and the "Signature not obtained" box shall be marked. If an individual or known responsible party from whom the property is taken from is not physically present to receive a copy of the *Property Receipt* or the *Property Receipt* was not provided to the individual, the *Property Receipt* shall be mailed to the address of the individual or their responsible party, if known. The *Property Receipt* is located in TraCS.
1. The *Property Receipt* shall be in English and/or Spanish and contain instructions on how to retrieve the property.
  2. An employee who does not have access to TraCS shall use the *Property 30-Day Notice Form*.
  3. A Search Log can be used in place of a *Property Receipt* for the property that was seized during the execution of a search warrant.
  4. A *Property Receipt* is not required to be issued for any DNA samples, blood, or urine.
  5. A *Property Receipt* is not required to be issued to an inmate for any contraband items that were confiscated.
  6. A *Property Receipt* is not required to be issued for *Civil Process* when executed by the Judicial Enforcement Division.
  7. A *Property Receipt* is not required to be issued for **copies** of photographs, documents, e-mails, CD/DVD's, or other digital media/storage drives voluntarily provided during the investigative process. If the individual providing an item possesses only a copy, and not an original, the copy would be considered the original since there is no other version of the item, and a *Property Receipt* shall be issued.
  8. A *Property Receipt* is not required to be issued for items that cannot be legally possessed or retrieved, such as, but not limited to, stolen vehicles, illegal drugs, or drug paraphernalia, with the **exception** of driver's licenses and/or license plates. All seized or impounded driver's licenses and license plates shall require the issuance of a *Property Receipt*.
  9. In the event an employee is unsure whether a *Property Receipt* is required, the employee should provide a receipt to the individual from whom the property was taken, confiscated, seized, or collected.
- F. Supervisors are responsible for ensuring that seized property and evidence is entered into the Property and Evidence/QueTel System prior to the end of shift in which it was seized except as noted in this Office Policy with prior approval from the respective division commander responsible for the investigation.

**4. Packaging of Seized or Recovered Property and/or Evidence:**

- A. Each individual item of property and/or evidence shall be packaged separately utilizing Office approved and appropriately sized package containers. Any deviation in package methods that do not meet the Property Management Division and the Scientific Analysis Division standards shall be refused and the employee and their supervisor shall be notified by e-mail that the evidence is improperly packaged or documented and requires correction prior to transport to the Property Management Division for storage.
  - 1. All of the following items are Office approved packaging containers and available through the Sheriff's Office Warehouse Operations:
    - a. Plastic storage bags;
    - b. Paper bags;
    - c. Biohazard bags;
    - d. Gun boxes;
    - e. Currency envelopes;
    - f. Cardboard boxes;
    - g. Safety tubes;
    - h. Metal hazardous material containers;
    - i. Bio-Guard plastic tubes (for swabs); and
    - j. Glass jars.
  - 2. Evidence requiring scientific analysis, such as Deoxyribonucleic Acid (DNA), latent fingerprints, or firearms, magazines, and ammunition shall be packaged in paper bags or cardboard boxes.
  - 3. Each photo identification (ID) or other form of identification, such as, passports and ID cards, shall be packaged separately in an approved plastic storage bag and placed so it is visible to the Property Management Division.
  - 4. Cardboard boxes are to be used when preserving DNA, fingerprints, biohazardous items, or the destruction of items. Other uses of cardboard boxes for packaging items shall require the approval of the Property Management Division Commander, or designee.
- B. All packaged or tagged items to be impounded shall be marked for identification and placed in designated areas for retrieval by Property Management Division personnel. All packages shall be sealed, and the employee's initials, serial number, and the date shall be clearly marked across the seal and the packaging to prevent tampering.
- C. Each item shall be entered through the Property and Evidence/QueTel System and assigned its own bar code label that shall be securely attached to the exterior of the packaging container or to the item. The IR number and item number shall be handwritten on the container.

- D. Evidence requiring analysis shall be placed in separate individual containers and submitted to the Property Management Division with the appropriate lab analysis forms filled out electronically for either the Scientific Analysis Division and/or the Department of Public Safety (DPS) Crime Lab, as specified in this Office Policy. Items requiring analysis that are not packaged separately shall require repackaging by the individual requesting the analysis.
  
- E. All firearms shall be unloaded, packaged, and secured in the appropriately sized cardboard gun box, an approved plastic storage bag, paper bag, or the respective gun case. If the firearm is too large, it may be tagged with a wire evidence tag with the bar code label attached to the tag. All ammunition shall be packaged separately from the magazine, clip, or the firearm, with the exception of any firearm and/or ammunition that is being submitted for laboratory analysis.
  - 1. The position of the safety and whether a cartridge or a fired cartridge case was removed from the chamber, shall be documented in the IR.
  - 2. The magazine or clip shall be removed; however, the ammunition shall not be unloaded or removed from the magazine or the clip.
    - a. The loaded magazine or clip shall then be packaged in a paper evidence bag, separate from the weapon and given a new or sub-item number (example, if the firearm is collected as number 1000, the loaded magazine should be collected as item number 1000a).
    - b. All special firearm packaging or handling requirements for laboratory analysis shall be followed, as specified in Office Policy GJ-5, *Crime Scene Management*.
  
- F. Lighters, Matches, and Vapors/E-cigarettes submitted to the Property Management Division:
  - 1. Lighters can be impounded as evidence and must be packaged separately in an approved container such as, paper bag for latent print processing or a metal hazardous material container to prevent leakage and/or cross contamination to other items or evidence.
  - 2. Matches can be impounded as evidence and must be packaged separately in an approved metal hazardous material container.
  - 3. Vapors/E-cigarettes can be impounded as evidence. The batteries shall be removed and packaged with the Vapors/E-cigarettes in a safety tube or a metal hazardous material container to prevent leakage and/or cross contamination to other items or evidence.
  - 4. Lighters, matches and Vapors/E-cigarettes should not be impounded as found or safekeeping property, unless requested by the owner. This may be made due to the item being of sentimental value to the owner.
  
- G. Bomb Squad personnel shall dispose of all suspected combustible materials including, but not limited to, pyrotechnics, fireworks, gun or smokeless powders, explosives, and dangerous materials.
  - 1. Suspected combustible or dangerous materials shall be entered into the Property and Evidence/QueTel System with an IR number. The Property Management Division will notify the Bomb Squad if there are explosive items or dangerous materials for disposal.
  - 2. All explosive items and dangerous materials shall be packaged in a paper or an approved plastic storage bag, as appropriate for the material being impounded.

3. Explosive items or dangerous materials shall not be packed in any container such as metal cans, plastic bottles, or glass jars.
  4. Bomb Squad personnel shall transport any combustible materials to the Scientific Analysis Division for laboratory analysis.
- H. All property and/or evidence considered biohazard must be labeled with a red biohazard sticker on the outside of the container holding the property and/or evidence and properly flagged in the Property and Evidence/QueTel System.
1. Any items with dried blood or bodily fluids shall be impounded in a paper bag with at least one biohazard label on the outside along with the barcode label.
  2. If the item has an odor or must remain wet, the item shall be placed in a red biohazard bag for impounding and a barcode label on the bag. These items shall be handled with latex gloves and placed in the refrigerator/freezer in the Property Management Warehouse.
- I. Perishable items such as, but not limited to, any food or beverage items, or items with a limited shelf life, shall **not** be submitted to the Property Management Division as found or safekeeping property. Perishable items do not include medications and/ or edibles containing marijuana which shall be impounded, as specified in this Office Policy.
1. If perishable items have evidentiary value, they shall be impounded as evidence, as specified in this Office Policy. Perishable items impounded as evidence requires notification to either the Property Management Division or Scientific Analysis Division Commander or designee. Packaging requirements for these evidence items shall be completed as follows:
    - a. Perishable Food Items:
      1. These items shall be packaged in a metal hazardous material container to prevent leakage and/or cross contamination to other items or evidence.
      2. If the item cannot fit inside a metal hazardous material container and requires laboratory testing, arrangements should be made to transport the items directly to the Scientific Analysis Division for such testing.
    - b. Perishable Beverages:
      1. Unopened beverage containers shall be packaged in a paper bag then a plastic storage bag.
      2. Opened beverage containers shall be emptied of their liquid contents and packaged in a paper bag then a plastic storage bag. The liquid contents shall be packaged in a safety tube, glass jar, or metal hazardous material container to prevent leakage and/or cross contamination to other items or evidence.
  2. If any perishable items or items with a limited shelf life are found within other items such as, a backpack or a purse, the items shall be **removed as applicable and disposed of** and documented in the IR by the employee.
  3. Confiscated perishable alcoholic beverages not submitted as evidence shall be disposed of and documented in an IR.



- J. Property Management Division personnel shall not accept items which are not appropriately packaged, as specified in this Office Policy, unless the items have been pre-approved for acceptance by a Property Management Division supervisor. Any items that are not packaged properly shall result in the items being rejected and the employee receiving an e-mail for corrective action.
5. **Processing Digital Photos and Body-Worn Camera (BWC) Recordings:** All digital photos and digital media shall be properly stored, documented, and retained for Office use. All digital photos and digital media of an incident taken by employees shall be uploaded to evidence.com or downloaded to a CD/DVD and impounded into the Property and Evidence/QueTel System by the end of shift in which it was created.
- A. Enforcement activities, such as, but not limited to, traffic stops, impaired driver investigations, or calls for service, shall be recorded using a BWC, as specified in Office Policy GJ-35, *Body-Worn Cameras*. All BWC recordings shall be retained and stored in evidence.com.
  - B. Employees are authorized to use Office issued cellular phones to photograph, audio record, or video record investigations and detention activities, as specified in Office Policy GJ-36, *Use of Digital Recordings Devices* (Non Body-Worn Cameras). These activities include, but are not limited to, photographs, interviews, interrogations, surveillance video, and witness recordings.
  - C. Personally owned digital recording devices including, personally owned cellular phones shall not be used to take photographs or digitally record crime scenes or evidence, unless exigent circumstances exist. In the event a personal electronic device is used for evidence recording purposes, the employee shall notify their supervisor. The digital evidence from a personally owned device shall be downloaded to a CD/DVD and impounded as evidence, as specified in this Office Policy. Employees are reminded that digital media evidence taken on a personal electronic device are subject to being impounded for investigative purposes.
  - D. All requests for autopsy photographs shall be referred to the Maricopa County Office of the Medical Examiner (OME). Photographs taken at an autopsy by the OME shall be downloaded to a CD/DVD and impounded as evidence to the Property Management Division and documented in the report.
  - E. Secondary dissemination is prohibited other than through the Legal Liaison Section (LLS) or the case agent.
  - F. Any copies of a recorded event made for court purposes shall be documented and entered into the Property Management Division as evidence.
6. **Temporary Storage of Seized or Recovered Property and Evidence:** All property and/or evidence impounded by employees shall be held in an approved secure storage location. Employees forwarding such property and/or evidence are responsible for obtaining proper documentation and ensuring the chain of custody is maintained.
- A. The location of lockers and storage rooms must be approved by the division commander and the Property Management Division Commander.
  - B. Employees requiring access to the lockers or storage room shall go to the division commander or designee. Only the division commander or designee, shall have access to the lockers or storage rooms.
  - C. In conjunction with the proper submission into the Property and Evidence/QueTel System a log shall be maintained within the division to track all property and evidence temporarily secured in the approved locker or storage room.

- D. Supervisors shall ensure that employees are properly completing, processing, and packaging the property and/or evidence stored in temporary lockers and storage rooms for the acceptance and transport by the Property Management Division.
  - E. Property Management Division personnel are responsible for acceptance and the transportation of impounded property and/or evidence to the Property Management Division. Property Management Division personnel maintain the authority for right of refusal to reject and notify the employee and their supervisor that the property and/or evidence is improperly packaged or documented and requires correction prior to transport to the Property Management Division for storage.
  - F. All articles of physical evidence shall be entered into the Property Management Division before any type of laboratory testing is requested. Any physical evidence that will be tested at a crime laboratory setting shall be packaged in paper products.
  - G. All temporary storage of seized or recovered property and evidence shall be released by the Property Management Division unless exigent circumstances exist. Under exigent circumstance, found or safekeeping property may be released to a member of the public from a location other than the Property Management Division; the reason shall be entered in the Property and Evidence/QueTel System, and the following documentation shall be required for the release:
    - 1. A completed *Property Release Authorization* form;
    - 2. Photo identification (ID);
    - 3. Date and time of the release;
    - 4. Signature of the person receiving the property; and
    - 5. Description of the property being released.
7. **Property and Evidence Report:** The Property and Evidence Report is a document that is generated when property and/or evidence is entered into the Property and Evidence/QueTel System. Each entry shall be assigned an IR number or incorporated into an existing IR number. A copy of the Property and Evidence Report shall be printed prior to submitting the report in the Property and Evidence/QueTel System, attached to the IR, and forwarded to the Records and AFIS Division. Failure by an employee to forward the report with the IR, as specified in this Office Policy, shall result in the supervisor making an entry into Blue Team noting the failure by the employee.
- A. The Property and Evidence Report shall be filled out properly and as complete as possible. Addresses, including zip codes, shall be supplied for ALL victims, owners, next of kin, and suspects. Employees found to be in violation of this Office Policy may be subject to disciplinary action, up to and including dismissal from employment, as specified in Office Policy GC-17, *Employee Disciplinary Procedures*.
  - B. Copies of all Property and Evidence Reports can be retrieved through the Property and Evidence/QueTel System after the impounded items have been finalized and received by the Property Management Division for future reference or as needed.
    - 1. Property entered into the Property and Evidence/QueTel System that has not been finalized is systematically sent by the Property and Evidence/QueTel System to the “Pending Submission” file, and is reviewed by the Property Management Division, the Bureau of Internal Oversight (BIO), and the administrative sergeant at each district and division.

2. When the property entry is not corrected within 14 calendar days by finalizing the entered property, a notification is generated requesting a correction of the unsubmitted property and sent through the Property and Evidence/QueTel system. This action is notated in the item's history and the notification is loaded into the case attachments.
  3. If there is no response within seven days, the Property Management Division Commander shall send an e-mail to the commander of the district or division requesting completion and an explanation.
  - C. A system entry error shall cause the report or individual items to be rejected by the Property Management Division personnel, causing a delay of the processing of property and/or evidence. The employee shall be notified by e-mail to correct the error and resubmit the items.
  - D. Handwritten Property and Evidence Invoices are no longer an acceptable method of entering property and/or evidence into the Property Management Division. If property and/or evidence is checked out for any reason and is on a handwritten property invoice, the property and/or evidence shall be entered into the Property and Evidence/QueTel System upon its return to the Property Management Division. This shall be completed by the employee who checked out the property and/or evidence.
8. **Transfer of Custody of Property and/or Evidence:** It shall be the responsibility of all employees to properly document all transfers of custody of property and/or evidence.
- A. Transferring of custody of all property and/or evidence for any reason shall require the information to be entered through the Property and Evidence/QueTel System.
  - B. The information to be recorded in the Property and Evidence/QueTel System shall include:
    1. The signature of the person delivering the evidence;
    2. The date and time of transfer;
    3. The reason for transfer;
    4. The destination;
    5. The signature of the person receiving the evidence;
    6. A description of the evidence;
    7. IR number;
    8. Where the evidence was collected;
    9. Where the evidence was stored;
    10. Who was in possession of the evidence and for what purpose;
    11. What was done to the evidence (e.g., analysis or re-packaging); and
    12. Date and time information.
  - C. Transferring of custody of all evidence requiring laboratory testing shall be requested through the Property and Evidence/QueTel System to the Scientific Analysis Division. Fingerprints and latent

prints shall be entered into the Property and Evidence/QueTel System as items of evidence, assigned a bar code label, packaged in a paper bag, and impounded.

**9. Seizure and Impound of Arizona License Plates, Driver Licenses, and Identification (ID) Cards:**

**A. Seizure of License Plates:**

1. If at the conclusion of a traffic stop where the deputy issues a citation for a traffic violation, which includes a violation of Arizona Revised Statutes (ARS) 28-4139, they shall impound the license plate. A license plate seizure under ARS 28-4139 cannot occur without the issuance of a citation for a violation of ARS 28-4139. Additionally, the suspended seized plate shall not be left with the violator at the time of citation.
2. If at the conclusion of a traffic stop where the deputy issues a citation and writes an IR for a criminal violation, which also includes a violation of ARS 28-4139 or other such criminal statutes which mandate the impounding of the license plate, the license plate shall be impounded. Arizona license plates seized as evidence under a criminal IR shall be impounded and properly documented in the narrative of the IR. Examples include, but are not limited to, license plates seized under ARS 28-2531 (B).
3. In addition to the citation and the IR, the documentation required for the seizure and impound of the license plate shall also include the *Property Receipt* generated by TraCS and the Property and Evidence Report that is generated by the Property and Evidence/QueTel System.

**B. Seizure and Impound of Arizona Driver Licenses or Identification Cards (IDs):**

1. A deputy shall seize and impound all suspended, revoked, or cancelled driver's licenses as evidence only when an individual presents a suspended, revoked, cancelled, or otherwise unlawfully displayed a license in a traffic-related situation, lawful stop, detention, or call for service.
  - a. Traffic violations that require a driver's license to be seized include, but are not limited to, violations of ARS 28-3473, ARS 28-3478, and ARS 28-3482.
  - b. The driver's license shall be impounded as evidence into the Property Management Division as evidence under an IR number and properly documented in the narrative of the IR.
2. A fictitious or altered driver's license constitutes other crimes under Arizona law, and therefore, with probable cause, seizure for evidentiary purposes is appropriate and a criminal IR with relevant charges shall document such seizure.
3. In addition to the citation and the IR, the documentation required for the seizure and impound of the driver's license shall also include the *Property Receipt* generated by TraCS and the Property and Evidence Report that is generated by the Property and Evidence/QueTel System.

**C. Out of State License Plates and Drivers' Licenses: When there are violations of Arizona state law, out of state driver's licenses and license plates should not normally be seized for traffic code violations.**

1. The appropriate criminal or civil citation may be issued, and the violator shall be advised of the status of the driver's license plate or license and that they cannot legally operate a vehicle. The card or other document shall be returned to the violator.
  2. A fictitious or altered license plate or driver's license constitutes other crimes under Arizona law, and therefore, with probable cause, seizure for evidentiary purposes is appropriate and a criminal IR with relevant charges shall document such seizure. The license plate and/or driver license shall be impounded.
  3. If such items are seized, deputies shall impound them as evidence, and provide a *Property Receipt*, as specified in this Office Policy.
- D. Deputies shall not normally seize other types of identification during traffic stops or other contacts, unless prior to the item's seizure probable cause exists to indicate the documents are fraudulent, forged, or otherwise illegal. These types of ID include, but are not limited to, passports, school identification cards, another country's identification cards, Visas, travel documents, birth certificates, and credit or debit cards. If such items are seized, deputies shall impound them as evidence, and provide a *Property Receipt*, as specified in this Office Policy.
- E. Packaging of Seized License Plates, Drivers' Licenses and ID Cards: All seized license plates, drivers' licenses, and ID cards shall be packaged separately in an approved plastic storage bag. Each item shall be entered into the Property and Evidence/QueTel System and properly documented. The exception to packaging these items in an approved plastic storage bag is if drivers' licenses and license plates need to be processed by the Scientific Analysis Division for any purpose. Under these circumstances, the license plates and driver licenses shall be packaged individually in paper bags.
- F. Exceptions for Seizure and Impounding of Driver's License: The exception for seizure and impounding of a driver's license occurs when driver's licenses are mailed to the Motor Vehicle Division (MVD) as required by the DUI Implied Consent Admin Per Se form, in which case the disposition of the driver's license shall be documented in the narrative and a *Property Receipt* shall be provided to the driver upon seizure of a physical Arizona driver's license. The Admin Per Se drop down option on the *Property Receipt* shall be used only for driver licenses that are mailed to the MVD, as specified in this Section.
- G. Found License Plates and Driver's Licenses: If a license plate or driver's license is encountered in a Maricopa County Office vehicle or Maricopa County Office facility which has not been impounded, the finder shall immediately impound such item and complete a memorandum documenting the circumstance for which the item came into their possession. The memorandum shall be forwarded to the Court Implementation Division (CID) through the employee's chain of command. CID shall forward the memorandum to the Professional Standards Bureau (PSB). Any recovered, lost, surrendered, abandoned, or otherwise received license plates or driver's licenses that are non-evidentiary and are turned over to a public agency where the owner may or may not be known shall be impounded.
10. **Currency:** Currency that requires impoundment into the Property Management Division shall be completed as follows:
- A. If the dollar amount of the currency exceeds \$5,000.00, the currency shall be transported directly to the Property Management Division by the deputy.
  - B. Foreign currency shall be entered into the Property and Evidence/QueTel System using the "FOREIGN CURRENCY" item category and shall be processed and packaged as property, not currency.

- C. Counterfeit currency shall be entered into the Property and Evidence/QueTel System using the “Counterfeit Currency” item category and shall be packaged in an approved plastic storage bag. Counterfeit currency shall be marked on the bag with a black marker. A note shall be made in the Note Section of the Property and Evidence/QueTel System stating counterfeit currency.
- D. All United States currency shall be impounded separately when it is found within another item such as a wallet, purse, or backpack. United States currency shall require the use of an Office currency envelope and a currency report that is generated by the Property and Evidence/QueTel System.
- E. All United States currency shall be entered into the Property and Evidence/QueTel System using the “CURRENCY” item category. Failure to do so shall result in a currency report not being generated. The item description shall state the total monies being impounded and total number of currency envelopes used in packaging. The bar code shall be attached to the back of the sealed envelope. Failure to complete these steps shall result in the item being rejected by Property Management Division personnel and immediately deleted from the currency report. The item shall have to be resubmitted, delaying the acceptance of any property and/or evidence by the Property Management Division.
- F. Prior to accepting the currency, Property Management Division personnel, along with a supervisor or designee, shall verify the denomination of bills and coins, as well as the total dollar amount submitted to ensure its accuracy. Hand rolled coins shall be opened, verified, and rerolled. Sealed bank rolled coins are not required to be unrolled and may remain sealed. Once all verifications have been completed, the currency envelope shall be resealed. The seal shall be initialed by the employee and the property custodian for transportation to the Property Management Division. If the count is different than the amount listed on the envelope and the Property and Evidence/QueTel System, the currency shall be rejected by the Property Management Division personnel and returned to the temporary storage and immediately deleted from the currency report. The currency shall be recounted and resubmitted, delaying the processing of any property and/or evidence by the Property Management Division.
- G. Upon transport to the Property Management Division, the currency envelope shall immediately be placed in the vault located in the Property Management Division Warehouse by two Property Management Division personnel. An entry shall be made in Property and Evidence/QueTel System using the “Item History” category with the employees’ names, serial numbers, and the date when the currency was placed in the vault.
- H. Biohazardous currency shall be air-dried prior to being submitted into the Property Management Division. Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials, as specified in Office Policy CP-6, *Bloodborne Pathogens*. After drying, each bill shall be individually packaged in an approved plastic storage bag, with both sides of the bill clearly visible. Contaminated coins shall be packaged similar to paper currency; however, several coins may be packaged together as long as the denomination of each coin can be clearly determined.
  - 1. Each individual bag shall be sealed and labeled with a fluorescent orange biohazard label. The packaged currency shall then be placed in the currency envelope. The item shall be flagged in the Property and Evidence/QueTel System as being a biohazard. Property Management Division personnel shall then process the currency.
  - 2. Currency suspected to have been contaminated or laced with dangerous drugs shall be impounded as drugs, not currency. **It is not necessary to count each coin or bill individually.** The currency should be packaged in a sealed plastic storage bag so as not to further contaminate other areas/items. Every precaution should be taken while handling this type of evidence. The sealed plastic storage bag shall be labeled with a “Caution” label

noting the possible type of dangerous drug it may be contaminated with. The item shall be noted in the Property and Evidence/QueTel System as being contaminated. Fentanyl caution stickers should be used at each district or division to clearly designate this type of evidence as a possible contaminant.

- I. A copy of the currency report shall be printed prior to final submission into the Property and Evidence/QueTel System. The currency report along with the Property and Evidence Report shall be forwarded to the Records and AFIS Division.
- J. Any currency left in the Property Management Division Night Drop area shall require the submitting employee to return to the Property Management Division during normal business hours for processing.

**11. Firearms:**

- A. Employees shall **NOT** impound a loaded firearm into the Property Management Division. Magazines or clips requiring laboratory analysis shall remain loaded and packaged separately from the firearm. If crime laboratory processing is not required, the magazine or clip shall be unloaded, and the magazine and ammunition packaged separately.
- B. The following shall be required when impounding firearms into the Property and Evidence/ QueTel System, in addition to any special firearm packaging or handling requirements for laboratory analysis, as specified in Office Policy GJ-5, *Crime Scene Management*.
  - 1. Employees shall contact the Operations Information Center (OIC) to have the following completed:
    - a. A printout of the inquiry and any resultant match shall be attached to the firearm and the NCIC number entered into the Property and Evidence/QueTel System.
    - b. For all stolen firearms, the Property and Evidence Report shall have the reporting agency, IR number, contact person, and telephone number listed in the item description. If the NCIC printout is not attached to the firearm or the proper information is not included in the item description, this shall result in the item being rejected and not accepted by the Property Management Division, until this information is received, and the proper paperwork is attached to the firearm.
  - 2. Employee shall enter all firearms into the Property and Evidence/QueTel System using one of the listed firearms (FA) item categories. These categories are in compliance with the Alcohol, Tobacco, and Firearms (ATF) form. Failure to use these categories shall result in the ATF form not being created. This shall result in the item being rejected and immediately deleted from the Property and Evidence Report. The item shall be reentered and resubmitted using the appropriate FA item category.
    - a. Each firearm serial number shall be checked against the NCIC gun files to determine if it is stolen. Any firearm that matches a stolen gun shall be processed as a recovery.
    - b. If no record of the firearm is found, each firearm shall be entered into the National Crime Information Center (NCIC), as one of the following to receive a NCIC number which shall be documented as:
      - 1. Found or Recovery;

2. Safekeeping;
  3. Seized; or
  4. Evidentiary
- C. All firearms that are retained because of a domestic violence incident shall be entered into the Property and Evidence/QueTel System using the “DV SAFEKEEPING” option. After the required 72-hour hold, as specified in Office Policy EA-8, *Domestic Violence*, Property Management Division personnel shall make written notification of the pending firearm release to the victim, verifying that no order of protection has been obtained, and contacting the owner when the firearm is available for release.
- D. All safekeeping firearms shall be held by the Property Management Division for up to a total of 180 days. It is the submitting employee’s responsibility to provide the owner with a *Property Receipt* or the *Confiscated Firearms Receipt* and attach a copy of the *Property Receipt* or the *Confiscated Firearms Receipt* to the firearm for transport to the Property Management Division. The “OWNER” and “RETURN TO” fields shall be properly filled out in the Property and Evidence/QueTel System, in the event Property Management Division personnel need to make contact for any purpose. Failure to complete any of these steps shall result in the item being rejected by the Property Management Division until this information has been received and attached to the firearm.
1. The owner must provide an acceptable identification (ID) to claim the firearm. The Property Management Division personnel shall check the firearm against NCIC stolen files. If the check of the firearm is negative, it shall be returned to the owner.
  2. If, after 180 days no owner comes to claim the firearm, the firearm shall be checked against the NCIC stolen file. If the check is found negative, the firearm shall be removed from the NCIC Found or Recovery Gun File by the Property Management Division.
  3. If the firearm is prohibited from being sold or auctioned under federal and/or state law, it shall be destroyed. Firearms ready to be sold or auctioned shall be handled, as specified in this Office Policy.
- E. All found firearms shall be held by the Property Management Division for a total of up to 180 days. In the event an owner is located during this time, Property Management Division personnel shall check the firearm against NCIC stolen files. If the check is found negative, it shall be returned to the owner.
1. If after 180 days no owner is located, the firearm shall be checked against NCIC stolen files. If the check is found negative, it shall be removed from the NCIC Found or Recovery Gun File and the firearm shall be disposed of.
  2. If the firearm is prohibited from being sold under federal and/or state law, it shall be destroyed. Firearms ready to be sold or auctioned shall be handled, as specified in this Office Policy.
- F. All firearms that are no longer required to be held by the Office and are ready to be sold or auctioned off shall not be transferred for sale or auction, unless approved by the Sheriff.
1. The Property Management Division Commander shall prepare a quarterly report detailing the corresponding IR number, make, model, and serial number of all firearms that are ready



- to be sold or auctioned. This report shall be forwarded through the chain of command to the Sheriff.
2. If the Sheriff does not authorize the sale or auction of these firearms, the firearms shall remain in the Property Management Division. Property Management Division personnel shall update the Property and Evidence/QueTel System to indicate the status of the firearm.
  3. If the Sheriff authorizes the sale or auction of these firearms, Property Management Division personnel shall transfer the firearms to be sold or auctioned, as specified in ARS 12-945 (B) Property Management Division personnel shall update the Property and Evidence/QueTel System to indicate the status of the firearm.
  4. All firearms seized under racketeer influenced and corrupt organizations (RICO) cases shall adhere to the procedures, as specified in this Office Policy.
- G. All evidentiary firearms shall be test fired for entry into the National Integrated Ballistics Information Network (NIBIN) prior to release. The Firearm Unit of the Scientific Analysis Division shall test fire firearms when a *Scientific Examination* is requested through the Evidence/QueTel System. Found firearms shall be test fired by the Property Management Division prior to release.
- H. Fired cartridge cases or shot shells submitted to the Property Management Division must have a *Request for Scientific Examination* submitted to the Scientific Analysis Division through the Evidence/QueTel System for the purpose of entering into NIBIN. Those items needing latent print analysis or DNA analysis can have the analysis requested on the same *Request for Scientific Examination*.
- I. Safekeeping firearms shall not be test fired for entry into NIBIN. In the event that a safekeeping firearm needs to be tested for entry into NIBIN, the case agent shall contact the Property Management Division to perform the test.
- J. Office Owned Firearms: All unassigned Office owned firearms shall be stored, managed, and issued by the Property Management Division, as specified in Office Policy GJ-23, *Firearms*.
12. **Marijuana:** Legal and medical marijuana and any associated paraphernalia shall be impounded as safekeeping property and a *Property Receipt* shall be provided. The quantity of marijuana shall be documented in an IR.
- A. Recreational marijuana of one ounce or less and up to eight grams of marijuana concentrate shall be impounded into the Property Management Division. Recreational marijuana shall be impounded and placed into an approved plastic storage bag.
    1. The deputy's initials, serial number, and the date shall be clearly marked across the seal and the approved plastic storage bag.
    2. The owner shall provide an acceptable ID in order to claim the property.
  - B. Medical marijuana of two and half ounces or less shall be impounded in its original packaging and placed into an approved plastic storage bag.
    1. The deputy initials, serial number, and the date shall be clearly marked across the seal and the approved plastic storage bag. The IR shall have the owner's patient ID number and the expiration date of the medical marijuana card.

2. The owner shall provide their valid medical marijuana card or a picture of the medical marijuana card along with an acceptable ID in order to claim the property.
    - C. Any marijuana over the legal amount authorized shall be processed as evidence, as specified in this Office Policy.
13. **Cellular Phones and Other Mobile Devices:** The digital content of cellular phones and mobile devices shall not be accessed or searched without a search warrant when the device is seized incident to a lawful custodial arrest, as specified in Office Policy GJ-3, *Search and Seizure*. While in some limited circumstances it may be possible to articulate an exigent circumstance exception to searching the cellular phone or mobile device, Office personnel should use caution as the courts do not recognize officer safety or risk of remote data wipe as justification under the exigent circumstance's exception. If a cellular phone or mobile device is powered on upon seizure, then the following process shall be followed to isolate the phone from the Cellular, Wi-Fi and Bluetooth network connections to prevent remote wiping or other data alterations:
  - A. Do not power the cellular phone or mobile device off;
  - B. If possible, switch the telephone or mobile device into "airplane mode" to isolate the device from the cellular network and disable Wi-Fi and Bluetooth connectivity.
    1. To minimize the destruction and/or alteration of electronic data, such as last accessed dates and times, Office personnel shall limit manually manipulating the device to only accomplish network isolation procedures, as specified in Office Policy GJ-3, *Search and Seizure*.
    2. Office personnel unsure of the proper protocol for manipulating a device, shall consult online resources or contact the Cyber Crimes Unit or Electronic Evidence and Remote Surveillance (EEARS) personnel to obtain guidance.
  - C. If the device cannot be placed into airplane mode, then it should be connected to a rechargeable battery pack and placed into an Office approved electronic evidence bag that blocks cellular reception and transmission. Due to passcode and encryption issues, it may be important that the device's battery remains charged until it can be forensically examined. Employees shall refer to the [Mobile Device Seizure Flowchart.pptx](#) file located in the Office's shared drive subdirectory within Office Policy GJ-3, *Search and Seizure* for additional instructions and contact information.
  - D. Electronic Evidence Examination Request Procedures:
    1. Seizure of a device with a search warrant does not necessarily authorize a search of the device and an additional authored search warrant to "search" the device may still be required.
    2. Complete an *Electronic Evidence Examination Request* form located in the Office's shared drive.
    3. Attach the signed search warrant and affidavit or a completed authorized *Consent to Search* form along with the *Electronic Evidence Examination Request* form and email both forms to the Cyber Crimes Unit Supervisor for examination.
    4. Unless otherwise instructed, all evidence shall be impounded into the Property Management Division, as specified in this Office Policy.
14. **Collection Procedures of Biological Evidence:** When collecting or handling biological evidence, the employee shall wear personal protective equipment (PPE), as specified in Office Policy CP-6, *Bloodborne*

*Pathogens.* Procedures for collecting biological evidence are as specified in Office Policy GJ-5, *Crime Scene Management*.

15. **Packaging of Biological Evidence:** The IR number and item number shall be written on the exterior side of the biological evidence tube or box. Once the tube has been sealed, initial the tube. Each tube shall be packaged in an Office-approved plastic storage or paper bag. If the swabs are in a swab box and the ends are sealed, place the boxes in an Office-approved paper bag. When filling out the bar code label with all the information, be specific about where the swab was collected from.
16. **Storing Biological Evidence:** Biological evidence, other than whole blood samples, such as bloodstains, seminal stains, and bodily tissues collected at the scene of an incident shall be stored as follows:
  - A. Samples of tissue or organs shall be **STORED FROZEN** in an approved plastic storage bag with the IR number, date, employee serial number, and the item number documented on the container. The container shall be placed in a cardboard box or paper bag. The bar code label shall be placed on the outside of the cardboard box or paper bag.
  - B. Wet specimens from crime scenes that could not be air dried due to the nature of the item or the case shall be **STORED FROZEN** in an approved plastic storage bag with the IR number, date, employee serial number, and the item number documented on the approved plastic storage bag. The approved plastic storage bag shall be placed in a cardboard box or paper bag. The bar code label shall be placed on the outside of the cardboard box or paper bag.
  - C. Dried blood or bodily fluid stains on items of evidence that are not collected using swabs shall be packaged in an approved paper evidence bag and stored in a dry, air-conditioned environment. **DO NOT FREEZE** as frozen stains on the non-porous items become liquid upon thawing and run off the items, which may be harmful to subsequent DNA analysis.
  - D. Sexual Assault Evidence Kits: Employees shall remove any blood and urine samples, and media such as CDs or DVDs from the sexual assault evidence kit prior to submitting to the Property Management Division. All Sexual Assault Evidence Kits shall remain in the box in which the kit was received. The employee shall ensure the Track-Kit AZ barcode number and the itemized list of the kit's content is adhered to the outside of the kit's box. The barcode and list should be easily visible to ensure proper tracking, storage, and preservation. Additional Track-kit barcode labels shall accompany the sexual assault evidence kit on the outside of the box for use by the Property Management Division. Additional Track-kit barcode labels shall not be adhered to the sexual assault evidence kit box. The Track-Kit Barcode number shall be entered into the Track-Kit field in the Property and Evidence/QueTel System.
    1. Liquid blood and urine samples shall be processed as **REFRIGERATE ONLY**.
    2. The rest of the kit shall be sealed and processed as directed by the case agent or other personnel who have knowledge of the kit's contents. Additional packaging or handling requirements are specified in Office Policy GJ-5, *Crime Scene Management*.
    3. The remaining evidence items of the sexual assault kit shall remain in the box in which the kit was received for impoundment into the Property Management Division. If the box leaks and becomes otherwise contaminated, the source of the contamination needs to be investigated and the kit re-packaged, retaining the contaminated packaging as an additional item packaged. The contamination and re-packing of items shall be documented as a supplement to the original IR indicating the items were impounded in the Property and Evidence/Quetel System.

4. Sexual assault evidence kits shall **NOT** be packaged in a plastic bag as this will likely destroy any evidentiary value.
  - E. Teeth, bones, hair, and fingernail clippings or scrapings shall be packaged in an approved paper evidence bag and stored in a dry, air-conditioned environment. **NOT FROZEN.**
  - F. Saliva samples shall be packaged in an approved paper evidence bag and submitted to the Property Management Division and stored in a dry, air-conditioned environment.
17. **Transporting Biological Evidence:** When transporting tubes containing biological evidence, the cap shall be put on, but once back at the district, the cap shall be taken off and allowed to air dry completely in a clean secured location. This could take up to 48 hours or longer if the evidence is kept in the tube. The tube can be placed in a fuming hood, swab dryer, drying cabinet, or a clean location to dry.
18. **Processing and Storing Whole Blood Samples:** Whole blood samples from a known source shall be collected in Ethylenediaminetetraacetic Acid (EDTA) preservative tubes by a qualified person. The EDTA preservative tubes shall be packaged in Office-approved containers, marked "BIOHAZARD / BLOOD," and maintained in a refrigerator.
19. **Collection, Packaging and Storing Moist Soil or Plant Material:** Moist soil or plant material shall be thoroughly air-dried at room temperature. Dried soil shall be packaged in hard-plastic or leak-proof containers. Plant material shall be in paper, and stored in a dry, air-conditioned environment.
20. **Collection, Packaging and Storing Capsules or Pills:** Capsules or pills shall be counted and documented on both the Property and Evidence Report and, in the IR. When possible, this type of evidence shall be weighed, unless the substance is sealed in tamper-proof containers or packaging. The volume of liquid drugs shall be estimated in metric units.
21. **Collection, Packaging and Storing Arson Debris:** Items of evidence that are to be tested for ignitable liquids shall be packaged separately in sealed lined metal arson cans or sealed nylon arson bags. This includes fire debris, cloth material, soil, plants, or any other item believed to have come in contact with an ignitable liquid.
22. **Collection, Packaging and Storing Contaminated or Laced Items:** Any item suspected to have been contaminated or laced with dangerous drugs shall be impounded as "drugs."
  - A. The item should be packaged in a sealed plastic evidence bag to prevent further contamination to other areas or items. Every precaution should be taken while handling this type of evidence.
  - B. The sealed plastic evidence bag shall be labeled with a "Caution" label noting the possible type of dangerous drug it may be contaminated with. The item shall be noted in the Property and Evidence/QueTel System as being contaminated.
  - C. Fentanyl caution stickers should be used at each district or division to clearly designate this type of evidence as a possible contaminant. If drug analysis is required, the examination request should be electronically submitted to the Property Management Division.
23. **Requests for Laboratory Examinations:** The investigating employee shall be ultimately responsible for making the necessary requests for laboratory examinations. This does not prevent Scientific Analysis Division personnel from submitting evidence to outside crime laboratories, as specified in this Office Policy.
  - A. It is the investigating employee's responsibility to accurately complete a *Request for Scientific Examination* through the Property and Evidence/QueTel System. The appropriate information must

be completed to ensure evidence should be chemically processed. If the information completed does not indicate the evidence should be chemically processed, the Scientific Analysis Division will determine the appropriate action for processing the evidence.

- B. Any evidence which is being submitted directly to the Scientific Analysis Division must have approval from the Scientific Analysis Division Commander or a Scientific Analysis Division supervisor. If approval is obtained, evidence must first be submitted to the Property Management Division through the Property and Evidence/QueTel System with appropriate documentation, then immediately checked back out and brought to the Scientific Analysis Division. Otherwise, all evidence must be submitted to the Property Management Division with appropriate examination requests dispersed to the Scientific Analysis Division.
- C. Once the Scientific Analysis Division is available to conduct the scientific examination, Scientific Analysis Division personnel will obtain the evidence from the Property Management Division to conduct the examination.

24. **Evidence Submitted to Other Crime Laboratories:** Evidence which is submitted to other crime laboratories shall first be submitted to the Property Management Division with appropriate documentation, then checked back out to submit to the appropriate laboratory or left at the Property Management Division with appropriate examination request paperwork completed. Evidence shall be forwarded to other crime laboratories according to the following:

- A. **Submitting Physical Evidence to an Outside Crime Laboratory:** When physical evidence is submitted to a crime laboratory outside of the Office, such as that of the DPS Laboratory, Property Management Division personnel shall ensure that the name and serial number of the transporting employee, the date and time of transfer, and the name and serial number of the person receiving the evidence is recorded.
- B. **Submitting Biological Evidence to an Outside Crime Laboratory:** When submitting biological evidence to an outside laboratory for examination, samples from known sources shall be submitted along with such evidence, when appropriate.
- C. Evidence submitted to other crime laboratories shall be accompanied by a letter from the requesting employee. The letter shall contain the following:
  - 1. A brief synopsis of the incident.
  - 2. A complete list of the evidence submitted.
  - 3. The types of examinations requested.
  - 4. The name, assignment, and phone number of the employee to whom the Laboratory Analysis Report is to be sent.
- D. The evidence and accompanying letter may be transported by an authorized employee or submitted by United States Post Office certified mail, return receipt requested. The certified mail return receipt and the signature card should be made part of the original IR and impounded.
- E. When a Laboratory Analysis Report is received from an outside crime laboratory, the requesting employee shall submit the report to the Records and AFIS Division to be filed with the original IR.

25. **Department of Public Safety (DPS):** Items requiring DPS analysis shall be individually packaged prior to submission to the Property Management Division. DPS will not accept items that are not packaged in this

manner. The DPS analysis form shall be completed electronically and submitted to the Property Management Division at [MCSO\\_Property\\_Evidence@MCSO.maricopa.gov](mailto:MCSO_Property_Evidence@MCSO.maricopa.gov). Once the DPS analysis form has been received, Property Management Division personnel shall ensure that the evidence meets all DPS packaging requirements, prior to transporting and submitting the item to DPS for analysis. **DO NOT** submit a *Request for Scientific Examination* through the Property and Evidence/QueTel System for items to be analyzed by DPS. The Property and Evidence/QueTel System is not linked to the DPS evidence system. The type of evidence that could be submitted for DPS analysis:

- A. Serology;
- B. Drugs;
- C. Toxicology;
- D. Handwriting analysis;
- E. DNA;
- F. Unknown Substances;
- G. Blood Alcohol; and
- H. Trace Analysis.

26. **Safekeeping Property:** All safekeeping property, except for firearms shall be maintained in the Property Management Division for up to a total of 30 calendar days.

- A. Property submitted as safekeeping shall have the following information included in the Property and Evidence/QueTel System prior to submission:
  - 1. Owners name; and
  - 2. Address and zip code.
- B. If any of the owner’s information is not completed, the property shall be rejected by the Property Management Division personnel.
- C. The Property Management Division and/or Scientific Analysis Division personnel shall notify the employee by e-mail of the rejection, and document in the Property and Evidence/QueTel System the reason for the rejection.
- D. Property that is not corrected shall be sent to the “Pending Submission” file in the Property and Evidence/QueTel System. When the property entry is not corrected within 14 calendar days by finalizing the entered property, a notification is generated requesting a correction of the unsubmitted property and sent through the Property and Evidence/QueTel system. This action is notated in the item's history and the notification is loaded into the case attachments.
- E. All property accepted shall have a 30-Day Notification form completed and sent to the owner by the Property Management Division personnel. An automatic line in the chain of custody is added to the Property and Evidence/QueTel System giving the date, time, and the Property Management Division personnel serial numbers.

- F. The owner must provide an acceptable ID to claim the property. After 30 calendar days, and the owner has not claimed the property, it shall be disposed of, as specified in this Office Policy.
27. **Found Property:** All found property, with the exception of firearms, shall be maintained in the Property Management Division for up to a total of 30 calendar days in the event that an owner can be identified. After this time, the property shall be disposed of, as specified in ARS 12-941 and this Office Policy.
28. **Disposal of Property:**
- A. All Safekeeping and Found property that was submitted to the Property Management Division and has not been claimed after 30 calendar days shall be disposed of, as specified in this Office Policy. The Property Management Division shall then ensure that all related documentation is in order and confirm with two Property Management Division personnel that the property is eligible for destruction. Once determined, Property Management Division personnel shall utilize the “Item Transfer” in the Property and Evidence/QueTel System to indicate the property is ready for destruction and complete the entry with their serial number. The property shall then be transported to a designated landfill by the Property Management Division for disposal.
  - B. Property items such as suspected combustible or dangerous materials which are prohibited from being stored at the Property Management Division shall be entered into the Property and Evidence/QueTel System for disposal and documented in the IR, as specified in this Office Policy.
29. **Evidence for Release:** All evidence scheduled to be released to the rightful owner or scheduled for disposal, after it no longer has any evidentiary value, shall be processed through the Property and Evidence/QueTel System using the “REQUEST” field or Disposition tab. All impounded property will be released by the Property Management Division unless exigent circumstances exist.
- A. Any evidence stored in the Property Management Division prior to the year 2009 shall require a manual release and the completion of the *Maricopa County Sheriff Office Release Authorization* form. The form shall be forwarded to the Property Management Division. Once the form is received by the Property Management Division, the proper paperwork shall be completed and either the notification shall be sent to the individual, or the disposal process shall be completed. Property shall not be released or disposed of until the document is received.
  - B. Property shall not be released until the Property Management Division completes the release procedures specified in this Office Policy.
  - C. Under no circumstances shall verbal requests be honored for the release of property to any individual or for the purpose of destruction.
  - D. Under exigent circumstance, when property is released from a location other than the Property Management Division, the reason shall be documented in the Property and Evidence/QueTel System.
30. **Evidence for Disposal:** All evidence scheduled to be disposed after it no longer has any evidentiary value shall be processed through the Property and Evidence/QueTel System using the “REQUEST” field or Disposition tab.
- A. Any evidence stored in the Property Management Division prior to the year 2009, shall require a release and the completion of the *Maricopa County Sheriff Office Release Authorization* form. The form shall be forwarded to the Property Management Division. Once the form is received by the Property Management Division, the proper paperwork and the disposal process shall be completed. Property shall not be disposed of until the document is received.

- B. Evidence shall not be disposed of until the Property Management Division completes the release procedures specified in this Office Policy.
  - C. Under no circumstances shall verbal requests be honored for the destruction of evidence.
31. **Evidence Request for Viewing, Court, or Lab Analysis:** All evidence “signed out” shall be reviewed by the Property Management Division every 30 calendar days. The Property Management Division shall notify the employee and their supervisor for the status of the evidence and will have 14 business days to respond. If a response is not received, the Property Management Division Commander shall send a notification by e-mail to the employee’s and the supervisor’s division commander requesting resolution to the issue. An entry into Blue Team shall be made by the employee’s supervisor noting the failure by the employee.
- A. Law enforcement personnel, Scientific Analysis Division personnel, or case agents who wish to view or sign out evidence shall complete a “REQUEST” through the Property and Evidence/QueTel System. The request shall clearly state the reason, date, and time that the property shall be required to be made available by Property Management Division personnel. At least 24-hours advance notice shall be required. The law enforcement or Scientific Analysis Division personnel shall verbally notify the Property Management Division personnel at least 24-hours in advance of requests for property submitted prior to 2009.
  - B. Law enforcement personnel, Scientific Analysis Division personnel, or case agents shall sign out all requested evidence prior to it being released by the Property Management Division personnel.
  - C. Employees shall not redistribute or release photographic imagery, in any form, to another individual or law enforcement agency, unless written authorization is submitted by the case agent. The LLS of the Administrative Services Division may request digital media upon receipt of a records request. The LLS shall receive written authorization from the case agent or case agent’s supervisor prior to release of records. Requests shall not be made through the Property Management Division directly.
  - D. An employee must be present when the Maricopa County Attorney’s Office, or any other person, requests to view evidence. The Property Management Division can provide a viewing room for this purpose.
  - E. Requests for outside blood analysis shall require the case agent to complete the steps specified in this section. The case agent shall be responsible for the repackaging and resubmitting of the separated evidence through the Property and Evidence/QueTel System. The case agent is required to complete a release request for the outside agency. The release request shall clearly state the name, title, company, and contact information for the person receiving the property. For outside analysis requests for evidence submitted prior to the year 2009, handwritten invoices and release request paperwork shall be completed. Property Management Division personnel shall only release the evidence when all steps have been completed.
32. **Inmate or Jail Property Impounded as Found or Safekeeping:**
- A. When personal property or clothing belonging to an inmate is found in a jail facility or cannot be accepted by the jail due to size limitations and is impounded to the Property Management Division for safekeeping, the *Property Receipt* or *Property 30-Day Notice Form* shall be prepared and packaged according to this Office Policy, in addition to entering the property into the Property and Evidence/QueTel System.
  - B. If the inmate is no longer in Office custody, copies of the *Property Receipt* or *Property 30-Day Notice Form* and the Property and Evidence Report shall be brought to the Property Management



Division with delivery of the property. If the *Property Receipt* or *Property 30-Day Notice Form* is not included with the property, the items shall be rejected and delay the processing of any property. The Property Management Division shall ensure that a copy of the *Property Receipt* or *Property 30-Day Notice Form* is mailed to the inmate's address of record.

- C. If the inmate is in Office custody, the *Property Receipt* or *Property 30-Day Notice Form* shall be signed by the inmate and attached to the property, in addition to the Property and Evidence Report. A copy of the signed *Property Receipt* or *Property 30-Day Notice Form* shall be given to the inmate. The inmate shall be informed that the property shall be held for 30 calendar days and failure to retrieve or release the items within 30 calendar days shall result in the items being disposed of, as specified in this Office Policy. If the *Property Receipt* or *Property 30-Day Notice Form* is not included with the property, the items shall be rejected, thus delaying the processing of any property.
- D. Property shall be entered using a deposit location established for the jail facility delivering the property to the Property Management Division. An IR is required for entry into the Property and Evidence/QueTel System. The inmate's booking number shall be entered into the brief narrative. Failure to do this shall result in the items being rejected and delaying the processing of any property.
- E. If a prisoner is booked into the jail with excessive personal property that was not accepted by detention personnel, it becomes the responsibility of the transporting personnel to impound the property. Prisoner personal property left at an approved secured storage room for transport shall require the *Property Receipt* or *Property 30-Day Notice Form*.
- F. All inmate safekeeping and found property shall be maintained in the Property Management Division for a total of up to 30 calendar days. After this time, the property shall be scheduled for disposal, as specified in this Office Policy.

33. **Release of Safekeeping Property:**

- A. In order for property to be released to the owner, the owner must provide an acceptable ID.
  - 1. If the owner's ID card is contained in the property to be released, it may be used as identification to release the property to the owner.
  - 2. Inmate color-coded ID bracelets do **not** constitute a proper form of identification.
- B. If the owner is unable to retrieve their own property, they must provide a notarized power of attorney to a designated person that can retrieve the property. The recipient must provide an acceptable ID along with the power of attorney to the Property Management Division during regular business hours. An exception can be made if the nearest relative listed in SHIELD comes to retrieve the property and they have the *Property Receipt*, or the *Property 30-Day Notice Form* provided to the inmate.

34. **Training:** The Property Management Division shall ensure training is provided for the chain of custody, packaging, securing, disposal, and return of property.

35. **Property and Evidence Packaging Handbook:** The Property and Evidence Packaging Handbook provides guidelines for Office employees regarding the proper handling and packaging of property and evidence in order to minimize deterioration and contamination. The Property and Evidence Packaging Handbook is located with this Office Policy, within the Office Policy folder on the Office's shared drive.