TITLE: Introducti	on		NO: A-100	
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 30, 2006	October 1, 2019	October 1, 2019	October 1, 2019	

POLICY

The purpose of the Kern County Sheriff's Office Property and Evidence Facility is to assist authorized personnel in storing and maintaining property and/or evidence pursuant to Section J-1800 of the Kern County Sheriff's Office DPPM, and to comply with all applicable State and Federal Laws. Virtually all types of physical evidence, found property, property held for safekeeping, and department issued equipment are stored, tracked and maintained in the Property and Evidence Facility.

The Property and Evidence Facility exits to support field (including allied agencies) and detentions personnel in their efforts to seek successful prosecution of law violators, as well as to assist the public by safely maintaining and, in many cases, returning lost or stolen property to its rightful owner. The Property and Evidence Facility is further charged with the lawful and appropriate disposal and or destruction of all property or evidence held within the facility. This disposal may be accomplished by auction, conversion to county use, conversion to lawful use by other agencies (as provided by law) or by legal destruction.

DIRECTIVE A

There shall be no deviation from policies or procedures outlined in this manual without prior approval form the Support Services Division Commander, or by any ranking officer, in the event of an emergency, and only to the extent required by the situation. The actions of such ranking officer will be documented and forwarded as soon as practical to the Support Serviced Division Commander. It is the responsibility of the managers, and supervisors to ensure that all Sheriff's Office personnel read, understand and adhere to the applicable sections of this manual.

DIRECTIVE B

This manual represents the accepted policy and procedures for the operation of the Kern County Sheriff's Office Property and Evidence Facility. In matters not specifically covered herein, State and Federal law, the Department Policy and Procedures Manual, and the philosophy and mission of the Sheriff's Office will be followed.

DIRECTIVE C

The Kern County Sheriff's Office Property and Evidence Facility will utilize the P.O.S.T. Property and evidence management Guide as a resource in establishing acceptable policy and procedures in the overall operation, handling, storage, processing and legal destruction of property and evidence.



TITLE: Manual Revisions			NO: A-101	
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 21, 2012	October 1, 2019	October 1, 2019	October 1, 2019	

POLICY

The Kern County Sheriff's Office Support Services Division Commander is responsible for maintaining, distributing, revisions, and updates of this manual. The manual will be reviewed as necessary and any updates will be accomplished in a timely manner. The Support Services Division Commander must approve any adoption of new policies or revisions of this manual. All requests for modification of this manual will follow the procedures as listed below.

PROCEDURE

Recommendations for New Policies or Modifications:

The recommendation for a new policy or modification of an existing policy will be submitted to the Support Services Division Commander via the chain of command in memorandum form.

- The memorandum should outline the justification for the addition of a new policy, or modification of an existing policy, and provide sufficient information as to the need for the addition or change.
- The Support Services Division Commander will review the request and either approve or deny the recommendation.

APPROVED

- If approved, the Support Services Division Commander will make the final change(s) or addition to the appropriate section, noting the date of the revision.
- Retain a copy of the section that was revised in its original form for a period of five (5) years.
- Distribute the new policy or revision to:
 - o Property Room Sergeant
 - o Property and Evidence Facility Staff

o SheriffNet Internal Web Page, Property Room Unit web page

NOT APROVED

- The Support Services Division Commander will return the original request to the sender, via the chain of command, with a memo outlining the reasons for the denial or request for further information and/or follow-up.
- Retain a copy of the proposed change(s) or updates within the Property Room share drive.

TITLE: Forms, Terms and Definitions			NO: A-102	
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 30, 2006	October 1, 2019	October 1, 2019	October 1, 2019	

POLICY

The following are the forms, terms, and definitions commonly used in conjunction with the operation of the Property and Evidence Facility. These terms will be utilized in all divisional communications for the purpose of providing uniformity and clarification of the communication.

(See Appendix A for applicable forms)

A. **DEFINITIONS**

Barcode Labels:

Black on white, self-adhesive labels used for the identification and tracking of property and /or evidence items in conjunction with the QuarterMaster Sytem.

Converted To Department Use File:

A file maintained in a designated file cabinet within the property room evidence processing area. Documents are filed chronologically and barcoded for inventory purposes.

Court Order File:

The file used to store court orders received by the property room. Court orders are filed chronologically. The item shall be scanned and kept electronically in the property room drive.

Crime Lab:

Office of the District Attorney, Forensic Science Division, 1300 18th Ste. 1, 4th floor, Bakersfield, Ca. 93301.

Destroyed Firearms List:

A list of the firearms deleted that have been destroyed or are scheduled for destruction. The guns will be photographed when deemed necessary. Deleted Photographs will be kept with the list.

Disposition Sheet:

A report generated in the QuarterMaster System, which lists stored property and /or evidence by case number and the responsible officer. This list will be distributed to the booking officers and used to provide disposition instructions for the property or evidence.

Firearms Sale List:

The Property Room is no longer auctioning firearms, this list will no longer be maintained; in accordance with P.O.S.T. recommendations, (effective 1/1/11).

Firearms Storage Room:

The storage room(s) used specifically for the storage of firearms.

Hand Written Property Reports:

Kern County Sheriff's Office Property Report Form #580- 2210- 650.

Homicide Evidence Room:

The room(s) used primarily for the storage of homicide evidence.

Item Transfer Receipt:

A report generated in the QuarterMaster System which documents the release or movement of property or evidence from the property room.

KAPAK Pouch:

A clear plastic heat sealable pouch. (effective 2014 replaced w/plastic roll system)

Narcotics Storage Room:

The room used exclusively for storage of narcotics.

Officer Equipment Issue Card:

Employee equipment record, Kern County Sheriff's Office form #580- 2210- 680. Effective Nov. 2013, employee equipment cards are electronic documents. Officer assigned equipment is maintained in the QuarterMaster System.

Property Release Authorization Form:

The form used as an alternative to a disposition sheet. Kern County Sheriff's Office form #580- 2210- 0467

Property Room:

The Kern County Sheriff's Office Property & Evidence Facility is located at 1501 "L" St., Bakersfield, Ca. 93301.

Property Room Safe (vault):

American Security Products safe county identification # 984710. <u>Property Room Staff:</u> Personnel assigned to the Kern County Sheriff's Office Property and Evidence Facility. The assigned personnel include the Support Services Division Commander, Sheriff's Sergeant and Sheriff's Aides.

Property Storage Lockers:

Gray metal lockers with steel mesh doors used for storage of incoming property before it is received by Property Room staff.

QuarterMaster System:

Property Room Inventory Management User System - An operating system used to enter and track property and evidence.

QuarterMaster System Property Report:

User generated report from the QuarterMaster System, which lists all property entered into the property system.

Retention of Property Form:

The form used to transfer custody of evidence or property from an officer to the court clerk or an attorney.

Two-person rule:

Two (2) property room personnel are to be present when currency, drugs and/or firearms are moved or received in the Property Room. The rule will apply when property room personnel are entering the narcotics room or when entering any gun evidence/destruction room. The two-person rule applies to all Property Room Personnel with exception of the Property Room Sergeant and the Division Commander. The two-person rule also includes while staff are working within the Property Room, meaning two property room staff will be present at all times while working at the Property Room.

<u>Service Counter – Employee/Law Enforcement:</u>

A counter within the Property Room used to provide service to field personnel and personnel from other law enforcement agencies.

Service Counter – Public:

A counter within the Property Room used to provide service to the public.

Valid Identification:

United States identification card issued by a government entity, depicting a photograph of the bearer and the bearer's personal information. Minimally to include; a legal name, date of birth, address, physical description, and an identification number (i.e., California Driver's License).

DIRECTIVE

Evidence and property must have the proper documentation to ensure all items can be accurately accounted for. This documentation is required for any type of movement, use, legal proceedings, disposal, destruction, return to owner, or conversion for department use. The following are the required forms used by the property room and Sheriff's personnel when processing evidence or property.

A. Internal Administrative Forms

I. The following forms are used by Property room personnel for internal administrative purposes.

- 1. Property room personnel will complete these forms and process them in accordance with this procedure manual and the DPPM.
 - Conversion of Property / Evidence to Department Use Memorandum
 - Money Drop Box Access Log
 - Vault Access Log
 - KCSO Employee Equipment Record Card 580- 2210-0680
 - Improperly submitted Property or Evidence Memorandum/email
 - Acknowledgement for Receipt of Property KCSO Letterhead
 - Property Disposition Instructions KCSO Letterhead/email
 - Urine / Blood Samples to Lab Log iPreLog
 - Property Manifest Log Property Auction Log
 - Affidavit of Finder KCSO Letterhead
 - Item Transfer Receipt
 - Property Access Log

B. Official Forms

- **I.** The following forms are used for processing property or evidence in accordance with law and agreement(s) with allied agencies.
- 1. Property room personnel will complete these forms and process them in accordance with this procedure manual and the DPPM.
 - Request for Analysis Kern County District Attorney's Criminalistics Laboratory – CL-2200-006
 - Law Enforcement Gun Release Application California Department of Justice / Firearms Division FD119
 - Firearm Ownership Record California Department of Justice / Firearms Division – FD4542A

C. Retention and Destruction of Forms

- I. All forms utilized by the property room must be processed, retained and/ or destroyed in the proper manner. Property room personnel will use the following procedure in the proper handling of forms.
 - A. All forms will be retained for a minimum of two (2) years, unless otherwise indicated. All records stored by electronic means fall into this category.
 - Financial records will be retained for a minimum of ten (10) years.
 - Disposal of property or evidence transaction forms will be retained for a minimum of five (5) years.
 - B. The destruction of forms will be processed according to law and county policy utilizing the following steps.
 - 1. Property room personnel will identify those forms ready for destruction and notify the Property Room Sheriff's Sergeant.
 - 2. The Sergeant will review the list and draft a Board of Supervisors letter (request for destruction of forms) and complete a County form 46 in accordance with County Administrative Bulletin # 11.
 - 3. The Support Services Division Commander will review the documentation and will submit them to the Support Services Bureau Chief Deputy for review. The Support Services Bureau Chief Deputy will have final approval and submittal to County Counsel, the Auditor, and the Board of Supervisor's.
 - 4. Once approved by the Board of Supervisors all forms will be destroyed in a manner that renders them useless and unreadable.



1 1 1 1 1 H ·	LE: Receiving and Booking of Property and Evidence: General			NO: B-100	
APPROVE	APPROVED: Support Services Division Commander				
EFFECTIVE: REVIEWED: REVISED: UPDATED:					
September 30), 2006	November 20, 2019	November 20, 2019	November 20, 2019	

POLICY

Property and evidence must be seized, processed, and booked in a legally and appropriate manner to ensure its integrity. The successful prosecution of criminal cases is dependant on how evidence is handled. It is the responsibility of the seizing officer, booking officer and the Property and Evidence Facility personnel to ensure this requirement is met.

The property room **WILL NOT** receive the following types of property or evidence:

- Vehicles autos, trucks, motorcycles, etc.
- Farm equipment tractors, plows, etc.
- Explosives (fireworks will be accepted unless the quantities are too large for proper storage).
- Items containing flammables or combustibles, which pose a risk of being ignited or exploding or risk of exposure to personnel.
- Poisonous substances / chemicals pesticides, herbicides, etc.
- Bones of any nature –All bones will be submitted to the Coroner's office for analysis.
- Other items as determined by the Support Services Division Commander
 or designee which could pose a significant health or safety hazard, or
 storage issue due to size or other item characteristics.

- I. Receiving property and evidence; General:
 - A. Seizing / booking officer(s) responsibilities:
 - 1. Ensure all items are properly packaged; labeled and all relevant documentation has been completed. Follow the procedures as outlined in B-101, 102, 103, 104, 105, and C-100 of this manual.

- Relevant documentation consists of: File on Q property label, and associated analysis request forms i.e. DA Crime Lab I-Prelog.
- 2. Deliver the items to the service counter, or deposit items into the appropriate property lockers if it is after hours.
- 3. Ensure that all relevant entries are completed in the File on Q System.
- 4. Include any and all applicable D.A. Lab forms.
- B. Property Room personnel responsibilities:
 - 1. Receive and process all property or evidence in a timely manner according to KCSO procedures and the applicable State and Federal laws.
 - 2. Ensure all applicable documentation is complete and accurate. All items are to be labeled and packaged securely and appropriately.
 - 3. Update the File on Q System.
 - 4. Make the appropriate log entries, and place the item(s) in the proper location.
- II. Improperly packaged or documented evidence or property:
 - A. Property or evidence not packaged or documented correctly <u>will not</u> be accepted for booking into the property room. The following procedure will be used to correct the errors and complete the processing.

BOOKING OFFICER NOT PRESENT

- 1. Property Room personnel who discover a discrepancy will immediately notify the Property Room Sergeant of the error. The staff member will generate a booking error letter or email listing the discrepancy.
- 2. The Sergeant will contact the booking officer <u>and</u> their supervisor, as soon as practical. The officer will be directed to correct the discrepancy(s) and complete the booking process.

BOOKING OFFICER PRESENT

- 1. Property Room personnel will advise the booking officer of the error and request the appropriate corrections be made.
- 2. Property Room personnel **are not** responsible for making the corrections.

III. Evidence returns:

A. All property that is being returned after it has been checked out, will be inspected by Property Room personnel to confirm the item being returned is the same item that was checked out. The employee returning the item will stay at the Property Room counter during this inspection of the returned item. After inspection of the item, the Property Room personnel will watch as the employee seals the property with evidence tape. Once the item is sealed with evidence tape, Property Room personnel will accept the item and scan it showing it has been returned to the Property Room.

TITLE: Narcotics – Receiving and Processing			NO: B-101		
APPROVED: Supp	APPROVED: Support Services Division Commander				
EFFECTIVE: REVIEWED: REVISED: UPDATED:					
September 30, 2006	November 20, 2019	November 20, 2019	November 20, 2019		

POLICY

Narcotics and/or other illicit substances require special handling due to their potential hazard of contamination and exposure to personnel. These cases sometimes involve large quantities of drugs and require further analysis or testing by outside agencies. In addition to the general processing of evidence or property as described in B-100, narcotics or illicit substances will be processed as follows:

- I. The booking officer will ensure the following:
 - A. All narcotics or illicit substances <u>MUST</u> be weighed (including packaging) with the approximate weight documented and written on the booking documentation.
 - B. If the substance will be sent to the DA Crime Lab, seal the substance(s) in an approved sealable plastic evidence bag.
 - C. Place the approved sealable plastic evidence bag inside a DA Crime Lab Narcotics envelope, fill out all appropriate documentation, and seal with evidence tape.
 - For Misdemeanor and/or Felony charges.
 - Narcotics or illicit substances, <u>not</u> analyzed, will be processed in the same manner above.
 - D. Follow all other steps as described in B-100, general procedures.

II. Property Room personnel will:

- A. Check and ensure that the packaging and documentation meets packaging requirements as listed in procedure above.
- B. Follow the steps as outlined in B-101, general procedures.
- C. Using the two-person rule, place the item(s) in the appropriate location in the narcotics storage room.

Property & Evidence Facility

Policy and Procedures

TITLE: Money: Currency and Coinage Receiving			NO: B-102	
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 30, 2006	November 20, 2019	January 28, 2013	January 28, 2013	

DIRECTIVE

Money, currency and coins, must be processed in a specific manner to ensure an accurate accounting and reduce liability. The following procedure <u>WILL</u> be followed at all times when receiving, booking, or other processing of money occurs.

- I. The booking officer will:
 - A. Count all monies and fill out the Record of Seized Currency/Coin form #580-2210-468.
 - Collectable currency or coinage, having value above its face-value will be booked as a separate item for proper processing.
 - B. Place the money and the currency form into an approved sealable plastic evidence bag. Ensure the form is visible and readable through the plastic bag. Then seal it appropriately.
 - C. <u>ALL</u> money will be deposited into the designated money locker with a File on Q label AND currency label attached.
 - Money will not be accepted at the customer service counter unless there are two Property Room staff members available to accept it
 - D. Follow the steps as described in B-100, general procedures.
- II. The Property Room personnel will:
 - A. Follow the two-person rule when receiving and processing of all monies booked into the property room.
 - B. Remove the money packages from the money locker.

- C. Use the proper money and/or vault log and record the required entries.
 - 1. Property room personnel involved.
 - 2. Case number.
 - 3. Amount of money as indicated on the money receipt.
 - 4. Location money placed and/ or other process used concerning the money.
- D. Follow the steps as described in B-100, general procedures.
- III. All money, unless it contains biological evidence or the specific serial number is imperative to the case, will be deposited into the Abandoned Money Trust Fund in accordance with procedures and time lines contained in Section F-100 of this manual.
 - Deputies booking money shall notify the Property Room personnel if currency needs to be held at the Property Room and not deposited into the Trust Fund.
- IV. All money booked as counterfeit, or determined to be counterfeit, will be transferred to the U.S. Treasury Department at the conclusion of the criminal case.
 - Document in File On Q that the counterfeit bills were sent via U.S. postal service to the Secret Service along with the serial numbers of the bills.
 The Secret Service may contact the property room personnel and request possession of the bills.

TITLE: Weapons: Receiving and Processing			NO: B-103	
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 30, 2006	November 20, 2019	January 28, 2013	January 28, 2013	

POLICY

Weapons, because of their inherent dangers, must be processed in a safe manner. Firearms, weapons and knives have specific requirements and will not be accepted for booking unless they are properly packaged and labeled. The receiving and booking of weapons will be accomplished by utilizing the following procedure.

PROCEDURE

I. Firearms

- A. The booking officer will:
 - 1. Ensure that the firearm is unloaded. The action or bolt must be locked back in an open position.
 - If the action or bolt can not be secured in an open position by its own mechanism then a plastic flex-tie or similar application **MUST** be used to keep the action or bolt in an open position.
 - 2. All firearms will have the File on Q label affixed to the weapon, generally tied to the trigger guard.
 - 3. "Bio hazardous" contaminated Firearms will be placed in a gun box and secured with flex ties. (Designated to Crime Lab or TI for processing).
 - 4. Ammunition or magazines will be packaged separately from the firearm.
 - 5. Follow all steps as described in B-100, general procedures.
 - 6. If firearm is disassembled and cannot be reassembled, it will be secured in a gun box and affixed with a File on Q label.

B. Property Room personnel will:

- 1. Follow all steps as described in B-100, general procedures.
- 2. Complete CLETS/ AFS checks (E-trace as needed) and document the status in the File ono Q system.
 - *If a discrepancy is noted, a supplemental report will be generated in the report writing system.
- 3. Store the firearm in the appropriate location of the Property Room (evidence gun room).
- 4. Property Room staff will abide by the two (2) person rule when entering any of the evidence gun rooms including placing evidence in the appropriate evidence gun room.

II. Edged Weapons

A. The booking officer will:

- 1. Package the weapon in a fashion as to cover the edge or point to prevent injury to personnel.
- 2. Leave edged weapons in their sheaths provided it secures the weapon to prevent injury to personnel.
- 3. Place the appropriate tag with the File on Q label onto the weapon.
- 4. **<u>DO NOT</u>** place edged weapons inside bags or other containers unless there is a special handling need. If so, the booking officer must notify the property room of the situation and special handling requirements.
- 5. Follow all steps as described in B-100, general procedures.

B. Property Room personnel will:

- 1. Receive, log and follow the procedures as described in B-100, general procedures.
- 2. Place the weapon in an appropriate location in the Property Room.

III. Weapons

- A. The seizing / booking officer will:
 - 1. Affix a tag with the File on Q label attached.
 - 2. Generally, the weapon will not be placed into a bag or other container unless there is a special handling need. If so, the booking officer must notify the property room of the situation and the special handling needs.
 - 3. Follow the steps as described in B-100, general procedures.
- B. Property Room personnel will:
 - 1. Receive, log and follow the procedures as described in B-100, general procedures.
 - 2. Place the weapon in an appropriate location in the Property Room.

TITLE: Special Handling: Homicide and Sexual Assaults NO: B-104					
APPROVED: Support Services Division Commander					
EFFECTIVE: REVIEWED: REVISED: UPDATED:					
September 30, 2006	November 20, 2019	November 20, 2019	November 20, 2019		

POLICY

Homicide and sexual assault evidence require special handling due to potential DNA evidence existing. Further, there are often other items seized in conjunction with these cases and if these items are not handled appropriately the evidence might be compromised and could become unusable for analysis or court. Perishable items may be booked in the appropriate containers and placed in the refrigerators designated for storage when deemed necessary. This evidence may be held for extended periods of time due to the statute of limitations in these cases.

As of 2011, per POST recommendations, all items should be stored in a temperature controlled environment in lieu of a refrigerator/freezer.

- I. Homicide and sexual assault evidence must be packaged properly and can be placed in the designated storage area to preserve its integrity. The booking and or seizing officer will utilize the following procedures:
 - A. Items that are wet or contain biological substances:
 - 1. Package the item(s) in paper packaging, ensure there in no leakage and book into the evidence locker as required.
 - 2. If deemed necessary, deposit item(s) into the evidence refrigerator located in the lobby of the Property Room.
 - B. Blood or urine kits:
 - 1. Fill out the kit documentation completely.
 - 2. The kit information is then documented in the chain of evidence log and placed into the evidence refrigerator located in the lobby of the Property Room.

* Blood and urine kits will not be entered in PRIMUS.

C. Sexual assault kits

- 1. The DA Crime Lab requires an approval letter if a request for analysis is being sought.
- 2. The PRIMUS documentation (label and property slip) must be attached to the kit.
- 3. Complete the IPreLog entry per Crime Lab procedures.
- D. Follow all steps as described in B-100, general procedures.
- E. Evidence booked without a DA approval letter for analysis **WILL NOT** be sent to the DA Crime Lab. It is the responsibility of the seizing, booking or the investigating deputy to provide the request to the property room for processing.
- II. Items booked <u>without</u> the DA Crime Lab request for analysis (IPreLog) will be processed as follows:
 - A. Items will not be sent to the DA Crime Lab. It is the responsibility of the seizing, booking or the investigating deputy to provide the request and the approval letter to the Property Room for processing.
 - B. Property Room personnel will process these items according to the steps as outlined in this section in B-100, general procedures.
 - 1. The Property Room personnel will place the item(s) into the designated location of the Property Room.
 - 2. Property Room personnel will follow the procedure as set forth in B-100, for improperly packaged or documented evidence or property.
 - 3. After the arresting or investigating officer has been notified and if the IPreLog request for analysis is not received within 30days the item will be placed in a designated location (controlled temperature).
- III. Property Room personnel will process homicide and sexual assault evidence using the following procedures:
 - A. Items which are wet; contain biological substances; blood and urine kits; and sexual assault kits:
 - 1. Ensure all required documentation is present and follow the procedures as set forth in B-100, general procedures.
 - 2. If there is a DA Lab approval letter an IPreLog printout, the item will be transported to the DA Crime Lab for processing.

- 3. Make the appropriate entries into the applicable log as required.
- 4. Items that do not have a DA Lab approval letter will be placed into the designated property room location (controlled temperature).

Sexual assault kits and homicide evidence are exempted from this specific procedure and **shall not** be destroyed.



Kern County Sheriff's Office Support Services Section

Property & Evidence Facility

Policy and Procedures

TITLE: Receiving Property: Allied Agencies			NO: B-105	
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 30, 2006	November 20, 2019	November 20, 2019	November 20, 2019	

POLICY

The Kern County Sheriff's Office will assist allied agencies with the receiving and processing of property under limited conditions. This support is available for the purpose of receiving items to be destroyed. The allied agency or other County of Kern agency will utilize the same procedures as described in this manual and as prescribed by law. Prior notification and authorization must be obtained from the Property Room Sergeant to proceed with this service.

The Kern County Sheriff's Office may enter into a Memorandum of Understanding with an allied agency for the purpose of providing property room services. The terms of an MOU will supersede the requirements of this section.

POLICY

A. Authorization and Notification:

- 1. Prior to the Property Room receiving any items for processing, the allied agency department head must provide a written request, on department letter head, to the Property Room Sergeant.
 - The authorization will be limited to items and dispositions in which the allied agency is unable to process at their department.

B. Presenting items for booking:

- 1. Allied agency personnel who present items to the KCSO Property Room must follow the procedures as described in this manual for booking property into the property room.
 - Property Room personnel will provide File on Q training and a list of needed items to ensure all items are packaged in the appropriate manner.
- 2. A written request, on the allied agency's department letter head must contain the following information and be signed by their department head.

- List all applicable case numbers.
- List and describe all items being submitted.
- Indicate the legal authority for disposal.
- Declare that all items are no longer needed for any legal purpose.
- Describe the type of disposal required.
- 3. Items that do not pose a risk to the public and can be disposed of via a suitable trash receptacle will not be accepted.
- 4. The Division Commander or designee will periodically review this procedure to ensure that all policy and procedures are being followed by allied agencies.

Property & Evidence Facility

Policy and Procedures

TITLE: Property Room Unclaimed/Abandoned Funds			NO: B-110		
APPROVED: Sup	APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:		
May 11, 2015	October 1, 2019	October 1, 2019	October 1, 2019		

POLICY

To establish the policy and procedure for disposing of abandoned and unclaimed funds coming into the possession of the Kern County Sheriff's Office Property and Evidence Facility.

DIRECTIVE A

Currency that is booked into the Kern County Sheriff's Office Property Room and is unclaimed or abandoned is deposited into Trust Fund 24005 pending final disposition. The following procedure will assist in determining if the currency is to be returned to its owner or transferred to the Auditor's Office, General Fund per County Ordinance 2.80.070.

- I. Annually, the Kern County Sheriff's Office Financial Services Section audits monies being deposited into Trust Fund 24005. The audit consists of publishing an advertisement for the public listing any unclaimed/abandoned funds. The advertisement identifies the Property Room Sergeant as the contact person for any claims, a claim deadline, and the Sergeants contact information.
 - A. The advertisement will include the following information:
 - Case number date of seizure.
 - The person the currency was seized from.
 - The amount of money seized.
 - The date the money was seized.
- II. When a person contacts the Property Room Sergeant wishing to make a claim, the Sergeant will:

- A. Note the contact information for the claimant such as full name, date of birth, telephone number, case number, court case number, etc.
- B. The Sergeant will research the circumstances surrounding the seizure of the money, to include:
 - All Crime & Incident reports associated with the seizure to ensure the money was seized from the person submitting the claim, and the circumstances surrounding the money seizure.
 - Determine if the money was seized as a result of a search warrant. If so, ensure the seizing officer has obtained a property release (PC 1536) for items seized.
 - Check the court case associated with the seized money and determine if the court ordered all evidence "destroyed".
- C. After the research is conducted, the Sergeant will examine all factors related to the seizure and make a determination on whether the money can be returned to its owner. Examples of dispositions:
 - If the subject submitting the claim was convicted of a crime related to the seizure of the money (H&S 11378, H&S 11351, etc).
 - The Sergeant will complete a court order to document that he/she believes the money in question was money earned from "ill-gotten gains". If the judge grants the court order, the money will not be returned to the claimant.
 - If the subject submitting the claim was <u>not</u> convicted of the crime the money was seized for, or the case was not filed against the person, the money shall be returned unless a legal justification can be made to deny the claim.
- D. Return of money to a claimant the Property Room Sergeant will:
 - Contact the Financial Services Section Accountant to authorize the release.
 - Provide the Financial Services Section Accountant with the claimants name, date of birth, and the EROD number related to the claim (if possible).
 - Direct the claimant to the Financial Services Section with a valid California Identification to submit the claim.

Rev: 03/25/2021

TITLE: File on Q			NO: C-100	
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 30, 2006	November 20, 2019	November 20, 2019	November 20, 2019	

POLICY

The File on Q system is the primary program for the booking of property and evidence into the Kern County Sheriff's Office Property and Evidence Facility. File on Q gives the property room personnel a reliable mechanism to maintain and process evidence or property efficiently. It is the sole responsibility of the booking officer to ensure the information and all relevant data are input into the File on Q system for each item of evidence or property booked. Updates **MUST** be completed as outlined in this procedure, to ensure evidence and property can be managed in the appropriate manner as prescribed by law.

- I. Initial data entry into File on Q:
 - A. File on Q entries must be complete and accurate as follows:
 - 1. The seizing / booking officer will access the File on Q system either at their workstation or at the Property and Evidence Facility booking room. The required information will be entered for each item of evidence or property. Information required:
 - Submitting officer name and CAD ID or badge number
 - Case Number
 - Case date
 - Date / time collected / submitted
 - Type of property/evidence (recovered, found, safekeeping, search warrant, etc.)
 - Description of the item

- Location where the item was found and by whom
- Item number
- Classification
- Involved party's name
- Designated relationship (e.g. suspect/victim/owner/etc)
- 2. Within 90 days of the property or evidence being booked into the property room the booking officer will update the item as to its current status. The status entry is either "HOLD", "DISPOSE", or "RELEASE".
- 3. The "HOLD", "DISPOSE", or "RELEASE" update will be completed every 90 days thereafter.
- 4. Whenever a case is reassigned the investigating officer will update File on Q as to indicate the change in the responsible deputy field.
- B. Property room personnel will generate File on Q reports periodically to identify items authorized for disposal or release.
 - 1. The following reports will be generated for the processing of evidence or property:
 - HOLD, RELEASE, and DISPOSE report regardless if the crime is a misdemeanor or felony.
 - Misdemeanor no complaint issued and 1 year and 1 month has elapsed (generally) but up to 2 years and 1 month on specified cases.
 - Misdemeanor warrant issued will be kept for the life of the warrant.
- C. All property identified as clear for disposal as defined in this procedure will be processed according to F-100 of this manual.
- D. Property room personnel have access to additional functional fields in the File on Q system for the purpose of inventory, processing, storage, release, and legal disposal purposes.
 - 1. Property room personnel will follow and use the proper procedures as set forth in the File on Q manual, if there is any situation where it is unclear, the Property Room Sergeant will be contacted immediately for clarification.

E. Property Room personnel have access to a PDA scanner to assist with the inventory and the processing of evidence. The scanner shall be used by one employee at a time. Prior to providing the scanner to another employee, it shall be docked into it charging cradle and allowed to sync the data with the File on Q System.

C-100-3 Rev: 9/23/12

TITLE: Releasing of Evidence or Property: Official Use NO: D-100				
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 30, 2006	November 20, 2019	November 20, 2019	November 20, 2019	

POLICY

Evidence must be processed in various ways to obtain information for criminal prosecutions. Therefore, it is necessary evidence be released / transferred from the Property Room into the custody of other agencies or individuals to accomplish this process. Evidence must be released for the purpose of being presented in legal proceedings. The integrity and the chain of custody must be maintained at all times to prevent evidence from becoming tainted and excluded from any cause of action.

- I. Property room personnel will utilize the following procedures when releasing or transferring evidence to the custody of authorized personnel or other agencies:
 - A. Legal authorization for release of property <u>MUST</u> be in writing and presented to Property Room staff. Authorization may consist of a subpoena, court order, or a request of the seizing, booking or investigating officer.
 - 1. All <u>narcotic</u> evidence checked out to Sheriff's Office personnel SHALL have a court order or a subpoena.
 - 2. All narcotic evidence checked out to allied agency personnel SHALL have a court order, subpoena, or official department letterhead stating the reason for the narcotic release.
 - B. The Property Room Sergeant or Support Services Division Commander SHALL be notified of any requests for narcotics absent a court order, subpoena, or official department letterhead request
 - * Court orders SHALL be the original. A copy will be made and attached as an "e-doc" in File on Q on all evidence items being released. The Property Room will maintain the original court order.

- C. The proper documentation must be entered into the File on Q property system and a signature must be obtained using the File on Q signature pad.
- D. Proper identification of the personnel receiving the item must be presented. A clear nexus between the requesting party and the evidence they are requesting must be documented in File on Q. If the nexus is not clear, immediately contact the Property Room Sergeant to approve or deny the release.
- E. Complete and document the location of where evidence is being transferred to include the date and time, released.
- F. Property Room personnel will advise the person taking the evidence or property to contact the Property Room if it is determined the evidence will not be returned (i.e. item becomes a court exhibit) within 24 hours after taking possession of the evidence.
- G. The Property Room Sergeant shall be present for the withdrawal of narcotic evidence.
- H. Property Room staff shall utilize the two (2) person rule when entering the narcotics storage rooms.
- II. Property room personnel will utilize the following procedure when items are returned:
 - A. Check all items for proper packaging, documentation, and note any discrepancies. Immediately notify the Property Room Sergeant if there are any discrepancies.
 - B. Complete the File on Q update for the return of the items.
 - C. Document the identification of returning individual including date and time the item(s) was returned.
 - D. Document and place the item back in the appropriate location in the Property Room.

III. Authorized Designated Personnel

- A. The following are authorized to request and remove property or evidence from the Property room for official use:
 - KCSO Seizing or booking officer, Technical Investigator, or other involved personnel authorized by the Sheriff.
 - District Attorney's Office Deputy DA, DA Investigator, DA Crime Lab Technicians.
 - Probation Department -Deputy Probation Officers.

- California Department of Corrections Parole Officers (Only Parole booked items).
- Kern County Parks & Recreation- Park Rangers.
- B. Court orders or authorization by the Sheriff is required for those not authorized by this manual to remove items from the Property room.
 - Refer to DPPM J-1800 Directive D Withdrawal and Return of Property

Attachment "A" - Retention of Property form is to be used upon removal of all evidence or property from the Property room.

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Rev: 03/25/2021

TITLE: Viewing of Evidence			NO: E-100
APPROVED: Support Services Division Commander			
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
September 30, 2006	November 20, 2019	November 20, 2019	November 20, 2019

POLICY

Due to the nature of property and evidence storage, it is occasionally necessary for investigating officers, attorneys, as well as certain members of the general public (when authorized by a magistrate, or by a Commanding Officer of the rank of Lieutenant or above) to view property being stored in the Kern County Sheriff's Office Property and Evidence Facility. When authorized persons properly request to view stored property or evidence the property room staff will accommodate such request pursuant to the procedure below.

- I. Property Room personnel will process requests for viewing of evidence or property in the following manner:
 - A. Private persons civilian
 - 1. Proper authorization must be presented at the time of request and documentation into the File on Q System will be completed. The written authorization form will be retained by the Property Room personnel.
 - Court Order or
 - Commanding Officer Authorization
 - 2. Private persons will not be allowed into the Property Room for viewing facility unless the Property Room Sergeant determines the item to be viewed cannot be viewed from the front service counter. If the private person is allowed into the facility they will sign in and out in the visitor log book and Property Room personnel will closely monitor the person at all times. The scope and duration of the private person's entry into the Property Room will be limited to the minimum time necessary to view the item.

B. Attorneys

- 1. Proper authorization must be presented at the time of request and documentation into the File on Q System will be completed. The written authorization will be retained by the Property Room personnel.
- 2. Attorneys will not be allowed into the facility unless the item to be viewed cannot be sufficiently viewed from the front service counter.
- 3. If the attorney is allowed into the facility they will sign in and out in the visitor log book and the property room personnel will escort the attorney at all times
- 4. The Property Room Sergeant will notify the Supervising DA as soon as a request from an attorney is identified. An email or phone call will be completed to the KCSO Detectives Commander.

TITLE: Issue of Equipment: Approved Staff			NO: G-100	
APPROVED: Support Services Division Commander				
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:	
September 30, 2006	December 6, 2019	December 6, 2019	December 6, 2019	

POLICY

The Kern County Sheriff's Office maintains and issues various items of equipment and supplies to deputies and other approved personnel in accordance with applicable Kern County Ordinances, Departmental Policy and Procedures, and Memorandums of Understanding. The Kern County Sheriff's Office Evidence and Property Facility are responsible for issuing the equipment as required and will do so pursuant to the following procedure.

PROCEDURE

All non-expendable equipment issued to personnel will be recorded in the employees file with the Quartermaster System. Including serial numbers, date of issue, electronic acknowledgement of the recipient, and initials of issuing property room staff. The Property Room will conduct an audit of all serialized non-expendable equipment at least once a year.

- A. Whenever an item of issue is returned or replaced, the equipment issue card will reflect that transaction by indicating the item returned with date and initials of the employee and indicate replacement item(s) in the manner as described.
- B. Non-expendable equipment is defined as an item that will be returned to the property room after use by the employee for future use by another employee.

Non-expendable equipment consists of the following:

- Safety equipment, generally firearms, ballistic armor, duty belt & accessories, baton, handcuffs, helmet, radios w/ holder, microphones, and chargers, badges, cap pieces, and Blue Checks.
- Expendable equipment is defined as items that will not be returned to the property room and once used by the employee cannot be utilized by another employee.
 Expendable equipment is issued on an as-needed basis and consists of, but not limited to the following:

- General equipment and accessories rank insignia & other uniform indicia, pepper spray, protective gloves, CPR masks, first aid supplies, evidence processing supplies, etc.
- D. Ballistic armor will be issued to all <u>authorized</u> personnel who request it. The procedure for obtaining the ballistic armor is as follows:
 - Ballistic armor is procured by a pricing agreement with the County of Kern and based on specifications recommended by the National Institute of Justice.
 - The standard issue is ballistic armor rated at level II, with a standard chest trauma, plate, and two carriers; or stab II/ ballistic combo (detentions).
 - To request ballistic armor, contact the Property Room equipment officer room via memorandum or email for the next available fitting date.

Replacement of safety equipment will be processed as follows:

- A. The employee must verify the the need and justification to have the item replaced to the Property Room Sgt. or his/her designee.
 - Upon request of the employee, ballistic armor will be replaced every five
 (5) years as recommended by the National Institute of Justice Ballistic Armor Guidelines.
 - Upon request, ballistic armor carriers will be replaced whenever determined to be unserviceable by the employee.
 - Firearms will be replaced as per the KCSO Range recommendations and requirements as specified in DPPM G-1000.
 - Generally, items of equipment presented for replacement must be unserviceable or deemed a safety issue in order to be approved for replacement. All other special requests must be submitted via the employee's Section Lieutenant to the Support Services Division Commander for approval.
- B. The employee will present the approved memorandum and the equipment to be replaced to Property Room personnel for processing.
- C. Employees can confirm property that is assigned to them by contacting the Property Room.

Replacement of fire extinguishers will be processed as follows:

- A. Fire extinguishers for Sheriff's Office vehicles will be returned and replaced at the property room.
- B. Confirm the expiration date for the fire extinguisher on the attached tag (Good for one year from the dates marked on the car) or that the extinguisher is expended or used by checking the gauge before replacing.
- C. Property Room staff will schedule services as needed to ensure there are spare fire extinguishers on hand for replacement.



Policies And Procedures

TITLE: Training			NO: H-100
APPROVED: Support Services Division Commander			
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
June 30, 2006	December 6, 2019	January 28, 2013	January 28, 2013

Policy

The Kern County Sheriff's Office Property and Evidence Facility requires that personnel have a thorough understanding of various Federal, State and local laws, which pertain to the processing of evidence, property and equipment. The types of items associated with evidence and property have specific handling requirements to ensure safety and to maintain the integrity of the chain of custody. Personnel are required to process items and substances, which can be harmful if handled improperly. Therefore, it is imperative that proper training of personnel be accomplished upon being assigned to the Property and Evidence Facility.

Procedure

The Property Room Sergeant will ensure all employees assigned to the Property Room are properly trained to handle the assigned duties. This training includes:

- A. Attendance of a property and evidence training seminar as provided by I.A.P.E or C.A.P.E. at least once every two years, subject to budgetary restrictions.
- B. On the job training dealing with the safe handling of hazardous materials, biohazards and blood-borne pathogens.
- C. Basic firearm orientation (i.e. how to safely handle firearms).
- D. Proper use of PRIMUS, CLETS, CJIS, ILEADS and other computer systems as required by the Property Room.
- E. Training to maintain compliance with accepted industry standards including new legal mandates and changes in case law.

TITLE: Federal Excess Property 1033 Program			NO: I-100
APPROVED: Support Services Division Commander			
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
April 14, 2013	December 6, 2019	December 6, 2019	December 6, 2019

POLICY

The Kern County Sheriff's Office agrees to utilize Federal excess property as per the agreement of the 1033 Program. The Sheriff's Office is required to utilize property within one year or schedule its return to the DLA Disposition Services. The property includes weapons, aircrafts and parts, and other miscellaneous items intended for law enforcement use. The Sheriff's Office will utilize all excess federal property in the appropriate manner as prescribed by law.

- I. Enrollment into the State 1033 Program
 - A. Law Enforcement Agencies (LEA) must request enrollment in the program by completing a certification request. The application will include a signed agreement by the Sheriff. The certification will remain valid for a one year period.
 - 1. Upon change in Sheriff, a new certification will be required.
 - B. A maximum of four (4) screeners will be allowed. The screeners must be named in a "letter of authorization/datasheet" provided to the Director of the Law Enforcement Support Office (LESO).
 - 1. The Sheriff, or his/her designee, will designate a property accountability officer (PAO). This person will report to the Property and Evidence Facility Sergeant.
 - 2. Upon change in screener personnel, an updated request will be forwarded to the LESO within the time frames of the MOU.
- II. Law Enforcement Agency screener criteria

- A. Screeners may be full-time and/or part-time employees of the Sheriff's Office. Only two (2) authorized screeners may physically screen at any disposition service site at one time.
 - 1. **Weapons Point of Contact** screener must be a paid full-time sworn officer of the Sheriff's Office.
 - 2. **Aircraft Point of Contact** screener must be a paid full-time sworn officer of the Sheriff's Office.
 - 3. **Property Accountability Officer** must be a full-time or part-time paid employee of the Sheriff's Office. The PAO may be a sworn or civilian employee.
 - a. The PAO is responsible for approving/disapproving all property requests and maintaining all accountability records for the property received.
 - b. The PAO will provide the required documentation, reports or inventories of all 1022 property held by the Sheriff's Office.
 - c. The PAO will maintain an accurate inventory of all items received through the 1033 program. This should include the type of item, the number of items received, the value of the item(s), and the distribution of the item(s). This log will be kept in accordance with the 1033 requirements.

III. Utilization of Property

- A. If Demilitarized (DEMIL) property is not placed in use by the Sheriff's Office within one (1) year, the Sheriff's Office must coordinate the transfer of property to another qualified law enforcement agency or return the property to the nearest Dispositions Service officer for property disposition.
 - 1. Prior written approval must be obtained by the PAO before the disposal, sale, auction, trade-in, salvage or transfer of any 1033 property can occur.
- B. "DEMIL A" items that have been in the Sheriff's office possession for more than a year are considered agency's property. The items(s) can be disposed of within the guidelines set by the Sheriff.
 - 1. Under no circumstances will the property be sold or transferred to non-U.S. persons or exported.
 - 2. Only upon authorization from the 1033 Federal coordinator, will the Sheriff approve donating item(s) to a group or non-profit organization, i.e. SAL, BSA, etc...

- 3. All "DEMIL A" property files will be maintained in an active status for two (2) years, then placed in an inactive status for three (3) years, after which they may be destroyed.
- C. Federal Excess property will be secured in a manner which will safeguard against loss or theft. In the event property becomes lost, stolen, or destroyed; the PAO will notify the State Coordinator's office. DEMIL coded items of C, D, E, F, or G must be reported within 24 hours. DEMIL coded items of A, B, or Q must be report within seven (7) days.
 - 1. All "DEMIL B through Q" property files will be maintained in an active status, throughout the life cycle of the property. If approved for turn-in, transfer, or disposal, the files will move to an inactive status and the files will be maintained for an additional three (3) years.
- D. Aircraft/Flight parts may be transferred to law enforcement agencies for use in law enforcement activities. All law enforcement agencies and subsequent users must be aware of and agree to provide all required controls in accordance with applicable laws and FAA regulations for these items.
 - 1. Property authorized for transfer must be maintained in accordance with applicable airworthiness standards and procedures for maintenance.
 - 2. Prior to transfer of any aircraft parts; authorization must be obtained in accordance with the Federal Excess Property 1033 Program.
- E. Weapons may be transferred to an authorized law enforcement agency within the State, who is participating in the 1033 program. Or, the weapons acquired through the 1033 program must be turned into an approved Federal armament when no longer required for law enforcement use. This will be accomplished through the State Coordinator.
 - Weapons damaged beyond repair must be returned to an approved Federal armament. Weapons will not physically move until the approval process is complete.
- F. Vehicles shall be approved by Fleet Services Unit prior to acquiring. All information, photographs, and justification for obtaining will be sent to the Fleet Services Unit prior to acquiring the vehicle.

IV. Record keeping

A. The Property and Evidence Facility Sergeant will monitor and inspect the records maintained by the Property Accountability Officer annually. He/she will ensure there is an accurate audit trail for individual items of property. If there is a

- discrepancy in records, the sergeant will take the necessary steps to account for the item(s) and resolve any tracking errors.
- B. The Property and Evidence Facility Sergeant will conduct periodic reviews to include physically spot checking the property held in the Sheriff's property and evidence room.
- C. Items requested by Department personnel, will have prior approval by the effected Division Commander and/or Section Lieutenant.
- D. The acquired 1033 items will be listed on the PAO's spreadsheet, under the requestor's identification.
- E. The Property and Evidence Facility Sergeant will notify in writing, no later than 30 days, when the Property Accountability Officer changes. In accordance with the 1033 program specifications.
- V. The Property and Evidence Facility Sergeant and the Support Services Division Commander will make themselves familiar with the Federal Excess Property 1033 MOU upon assignment.



1 1 1 1 1 H·	Inventory and Audits of Property and Evidence: General		NO: J-100
APPROVED: Support Services Division Commander			
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
September 30, 200	December 6, 2019	December 6, 2019	December 6, 2019

POLICY

Property and evidence must be seized, processed, and booked in a legal and appropriate manner to ensure its integrity. The successful prosecution of criminal cases is dependant on how evidence is handled. It is the responsibility of the seizing officer, booking officer and the Property and Evidence Facility personnel to ensure this requirement is met.

DIRECTIVE

All general property and evidence will be inventoried at least one time a year. Narcotics, firearms and money will be inventoried quarterly. The Property Room Sergeant will conduct random audits of selected areas on a weekly basis. If possible and if scheduling permits, the same people should not inventory the same area back to back.

Two person protocols shall be utilized any time narcotics, firearms or money is inventoried. Narcotics, firearms and money shall be inventoried quarterly. The remaining areas of the property room, containing general evidence and property, shall be inventoried at least one time per year. All efforts shall be made to find evidence and property that is initially shown to be UTL (unable to locate).

- I. The Property Room Sergeant will determine the area to be inventoried and the employees designated to conduct the inventory.
 - 1. Use File on Q, which stores inventory information under the item or location history.
 - 2. Review the information to determine when the area should be inventoried.
 - 3. Try to ensure the same person(s) do not inventory the same location on successive inventories.
 - 4. Constantly monitor the work being performed to:
 - Ensure the inventorying officer does not mistakenly move entire locations into UTL status.

• The area being inventoried is being permanently logged into PRIMUS history. For example, if you do not print or save, the inventory will not be saved.

The property room is split up in the following equal sections to make the inventory process as smooth and efficient as possible. Inventory shall be conducted in the following sections at least once per year:

- 1. Shelves 1-12 and 15-21
- 2. Shelves 22-39
- 3. Shelves 40-51, 13 and 14
- 4. Shelves 54-59, 66-71
- 5. Shelves 52, 53, 60, 61, 62, 63, 64, 65, 100-109, 110-117, 199
- 6. Cabinet 75-78 & 79
- 7. Cabinet 80-83
- 8. Cabinet 84-86
- 9. Bins 200 and shelves 1000-1004
- 10. B200-B204
- 11. Homicide Rooms 300
- 12. 400 Floor
- 13. 400 Shelves
- 14. Freezer 700
- 15. Shelves 800
- 16. Section 900

Inventory shall be conducted in the following sections quarterly:

- 1. Vault (99) (2 person integrity)
- 2. Narcotics Rooms (500 & B500) (2 person integrity)
- 3. Firearms (600) (2 person integrity)
- 4. All areas designated as Destruction Holding areas