

Property Booking

1403.1 BOOKING PROPERTY AND EVIDENCE

It is the policy of the Union City Police Department to book into the automated property system all property and evidence as soon after seizure as possible prior to the end of shift in order to preserve the chain of evidence. Property is not to be secured in personal lockers, files or desks.

Note: Maintaining a copy of property/evidence in a case file may be acceptable under certain circumstances, such as an audio recorded statement, videotaped interviews, or digitally recorded files; **however, the property/evidence must first be booked into the property system and a copy requested.** Original evidence shall not be kept in case file.

IMPORTANT: It is critical that employees collecting evidence follow the "Best Evidence Rule." Original specimens such as photographs, computer disks, papers, etc. shall first be booked into the Property Room, and then requests for copies can be fulfilled.

1403.2 SUBMITTING PROPERTY

1403.2.1 DEFINITIONS

Property Includes impounded property (i.e. all items taken or seized under any circumstances) and found property.

Evidence Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping Includes the following types of property:

- (a) Property obtained by the Department for safekeeping.
- (b) Personal property of an arrestee not taken as evidence (e.g., Welfare and Institutions Code 5150, mentally ill persons).
- (c) Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code 5150, mentally ill persons).

Found Property Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted. Found property must have value. Items that are broken, discarded, abandoned or have no value are not found and should not be booked as found property.

Impounding Employee Any Officer, Community Service Aide, Public Service Officer or other employee who seizes property pursuant to (A) a criminal investigation, (B) as found property or (C) held for safekeeping.

Investigating Officer Any employee who retains or assumes control of an investigation where property was seized as evidence, found property or held for safekeeping.

Union City Police Department

UCPD Procedures Manual

Property Booking

1403.2.2 PROPERTY HANDLING

All property that is collected or seized by any employee shall be turned into the Property and Evidence Section for storage after proper documentation in the automated reporting system. Under no circumstances will an employee keep in their possession beyond the end of the work shift on the day that it is seized

Bio-hazardous waste, specimens of blood, potentially infectious body fluids or contaminated sharps to be turned in as evidence or found property should be placed immediately in puncture/leak resistant containers and properly labeled. These containers shall be taken to the Evidence Booking room where the item will be disposed of properly into a "Sharps Container" or entered into evidence with a biohazard sticker affixed to the exterior of the packaging.

All items seized by an employee will be listed in the ARS, indicating whether property was seized as evidence, found property, or safekeeping. The investigating officer assigned to the case should complete a Laboratory Service Request form if analysis is requested.

The case number, tag number and item number must appear on each package to identify the evidence to the incident or investigation. If applicable, the victim's name, the suspect's name and offense should be listed also (any evidence item that may be sent to a crime lab).

Where possible, items will be processed for evidence in the field prior to being submitted to the Property and Evidence Section, i.e. fingerprints on a television, etc. When practical, an employee should take a photograph of this type of evidence and return the evidence to the victim. Photographs of this type should include a photo of a paper showing the case number, address, date, etc. for proper documentation. The employee shall obtain a signature from the victim on the Property Receipt form indicating the property was returned/left with the victim. If applicable, the employee should make the appropriate automated reporting system entries, i.e. stolen, recovered and released.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The Property Receipt form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the item(s).

1403.3 PROPERTY BOOKING GENERAL PROCEDURE

All property must be booked prior to the employee going off duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the automated report system entry describing each item of property separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) The appropriate tab in ARS should be selected when booking guns, money, and/or controlled substances.
- (c) Complete an evidence/property envelope or an evidence/property label and attach it to each package, bag, envelope or box in which the property is stored.

Union City Police Department

UCPD Procedures Manual

Property Booking

- (d) Property not meeting packaging or documentation standards or policy will be returned to the rejection locker and not booked into the Property and Evidence Section. The Property Section will notify the officer and their Sergeant via e-mail that the property has been placed in the rejection locker for correction. The error shall be corrected within (3) days of notification.
- (e) Property is to be placed into the storage lockers in the Evidence Booking Room and documented in the automated report system.
- (f) When the property is too large to be placed in the evidence lockers, the item may be placed in the evidence booking room. Submit an email including the case number to the Property/Evidence Section notifying them that a large item was placed in the evidence booking room.

1403.4 PROPERTY BOOKING – FIREARMS

- (a) Firearms shall be submitted separately.
 - 1. All seized firearms will be unloaded when submitted to the Property/Evidence Section for booking. Firearms should be placed in a gun or rifle box and secured with a plastic zip tie. No zip ties are to be placed through the barrel of a firearm.
 - 2. Officers shall ensure that any firearm is unloaded prior to submitting it to the Property/Evidence Room and make a note on the box. “Unloaded” should be written on the top of the box and clearly legible and visible.
 - 3. Photograph the firearm before securing the gun box with tamper evidence tape. The photograph should display the make, model, and serial number. Place a printed copy of the photograph in the evidence locker on top of the outside of the gun box.
 - 4. All ammunition evidence shall be packaged separately from the firearm.

1403.4.1 BOOKING OF FIREARMS

- (a) **NEVER PLACE A LOADED FIREARM INTO AN EVIDENCE STORAGE LOCKER.**
- (b) Exception: If unable to unload a firearm immediately, notify the Watch Commander to arrange for the firearm to be rendered safe.
- (c) The W/C will make immediate arrangements to have the firearm unloaded via department range master, armorer or other qualified personnel prior to placing the firearm into storage or transporting it to a laboratory.
- (d) Unfired cartridges may be left in the magazine provided the magazine is removed from the firearm and booked separately. Firearms should be unloaded only after noting the position of the safety, bolt, breechblock, hammer, cylinder, magazine, etc.
- (e) Magazine-fed firearms: Do not touch the sides of the magazine as this may destroy latent prints. Do not unload the firearm by working the ammunition through the slide assembly.
- (f) Never pick up a firearm by placing a pencil or other object into the end of the barrel.

Union City Police Department

UCPD Procedures Manual

Property Booking

- (g) Never attempt to test fire a firearm before it is examined, and then only at an approved range by qualified personnel.
- (h) Never clean the bore, chamber or cylinder before submitting a firearm into evidence.
- (i) If blood or other material of interest is present on the muzzle of the gun, place a small paper bag over the muzzle and seal it to the barrel with tape to prevent loss of the sample. Also, place a biohazard sticker on the outside of the rifle or handgun box prior to booking into evidence.
- (j) DOJ weapon category and type information should be written on the evidence label (make, model, etc.) and affixed to the handgun box or rifle box.
- (k) Refrain from placing items – such as zip ties – through the barrel. Draw an arrow on the box showing where the barrel is pointing.
- (l) Ammunition – Ammunition must be unloaded from the firearm before it is booked into evidence.
 - 1. Never mark a bullet or cartridge.
 - 2. Do not attempt to clean recovered bullets before sending them to the laboratory.
 - 3. Handle fired evidence bullets as little as possible to prevent damage to the ID characteristics in the rifling markings or loss of material adhering to the bullets.
 - 4. Never use tools to handle bullets.
 - 5. Wrap each bullet separately in tissue or other paper to prevent damage to the rifling markings by contact with other evidence.
 - 6. Package wrapped bullets in envelopes, pill boxes, or other appropriate containers, label and seal them with evidence tape. Place the boxes or container inside an evidence envelope

1403.4.2 PROCESSING "FOUND" FIREARMS

- (a) Notify Records via email that a firearm was booked into property. Property will provide Serial # (if known), make and model. Records will enter the firearm to CLETS/AFS in accordance with 11108.2(a) PC.
- (b) "Found" firearms may be considered Crime Guns (see below) and should be submitted to IBIS/NIBIN.
- (c) If the registered owner is known, he/she shall be contacted to ascertain the status of the gun (stolen, sold, etc.). If the owner states he/she no longer owns the firearm, treat as abandoned property. Unregistered abandoned firearms are considered abandoned property.
- (d) Firearms turned in for destruction are entered into DOJ as Found Property with a note in the MIS field, "Turned in for Destruction. "The person turning in the firearm shall receive a field property receipt.
 - 1. If the firearm is relinquished by the owner (registered or unregistered), the firearm can be routed for destruction after review by the Investigations Supervisor.

Union City Police Department

UCPD Procedures Manual

Property Booking

2. If the person relinquishing the firearm is not the registered owner and the person has no proof of purchase, a Firearms Release Notification Letter must be sent to the last registered owner of the firearm.

1403.4.3 PROCESSING "SAFEKEEPING" FIREARMS

(a) Domestic Violence Incidents

1. Notify Records via email that a firearm was booked into property. Property will provide Serial # (if known), make and model. Records will enter the firearm to CLETS/AFS in accordance with 11108.2(a) PC.
2. In all cases the seizing officer shall furnish a field property receipt to the firearm owner.
3. Firearms owners who are served with a domestic violence Temporary Restraining Order are prohibited to possess firearms until the TRO is lifted.
4. If domestic violence charges were filed against a gun owner, the owner is prohibited from possessing firearms until the case is adjudicated. Refer any questions from the owner to the District Attorney.
5. If the firearm was relinquished pursuant to a Family Court Order, the owner is entitled to sell/transfer the guns to a licensed firearms dealer (not the owner).

(b) Psychiatric Detention Incidents

1. Notify Records via email that a firearm was booked into property. Property will provide Serial # (if known), make and model. Records will enter the firearm to CLETS/AFS in accordance with 11108.2(a) PC.
2. In all cases the seizing officer shall furnish a field property receipt to the firearm owner.
3. Firearms taken pursuant to a W & I 5150 detention are held for 6 months. Firearms will be returned to the owner after the 6 month period if the owner was released from a mental health facility without a diagnosis. The Investigation's Supervisor must petition the Court via the City Attorney within 30 days of the owner's release from a mental health facility if the officer believes returning the firearms to the owner poses a threat to the owner or others (known as an 8102 hearing). Any request for a hearing shall also be afforded to the firearm owner.
4. Where a firearm owner was diagnosed and determined to fall under the provisions of W&I 5150, 5151 or 5152, for mental health treatment, the owner is prohibited from possessing firearms for 5 years. The owner may petition the Court for relief.
5. Where a firearm owner was diagnosed and determined to fall under the provisions of W&I 5250, 5260, 5270.5 or PC 1026 or 1370, the owner is prohibited from possessing firearms for life. The owner may petition the Court for relief.

Union City Police Department

UCPD Procedures Manual

Property Booking

- (c) In all firearms safekeeping instances, if a firearm owner is notified or requests a hearing and does not appear, the City Attorney will request a default judgment for destruction of the firearms.
- (d) When a firearm is cleared for release, the owner shall be notified by mail the firearms are ready for pickup. If the owner does not respond after 180 days, the firearms shall be considered abandoned property and destroyed. Where the owner requests return of the firearms, follow the Law Enforcement Gun Release procedure.

1403.4.4 PROCESSING CRIME GUNS

- (a) If the firearm was used or suspected of being used in a crime, a suicide or was illegally possessed, it is considered a crime gun.
- (b) All crime guns should be submitted to the ACSO lab for entry into NIBIN.
- (c) All crime gun must be entered into AFS by Records personnel.
- (d) Notify Records via email that a firearm was booked into property. Property will provide Serial # (if known), make and model. Records will enter the firearm to CLETS/AFS in accordance with 11108.2(a) PC.

1403.4.5 RECOVERED STOLEN FIREARMS

- (a) Confirm Dispatch performed CLETS/AFS check.
- (b) A firearm must be located in AFS. The firearm is then re-entered as a crime gun and as evidence and held until any applicable case is adjudicated.
- (c) Notify Records via email that a firearm was booked into property. Property will provide Serial # (if known), make and model. Records will enter the firearm to CLETS/AFS in accordance with 11108.2(a) PC.

1403.5 PROPERTY BOOKING - CONTROLLED SUBSTANCES/DANGEROUS DRUGS

All controlled substances and dangerous drugs shall be booked separately. Paraphernalia defined by Health and Safety Code 11364 shall also be booked separately. All controlled substances and dangerous drugs shall be booked in a manila envelope printed "Narcotics Envelope" unless the amount seized will not fit in the 6"x 9" envelope.

- (a) Any controlled substance submitted must have a specific weight in grams/ounces or the number of dosage units, i.e. pills, tables, "rocks", etc. in the package. The responsibility for accurately weighing and/or counting all controlled substances placed into the Property/Evidence Section rests solely with the booking officer. Significant discrepancies in the amount of controlled substances seized and the amount reported in ARS may result in an internal investigation.
- (b) All non-organic controlled substances shall be first sealed in plastic and then packaged into envelopes. Organic substances, such as marijuana, shall be packaged directly into paper envelopes or bags to prevent molding.
- (c) The booking employee must notify the shift Sergeant when controlled substances in an amount equal to trafficking/sales amounts are seized.

Union City Police Department

UCPD Procedures Manual

Property Booking

1403.6 PROPERTY BOOKING – CURRENCY

Impounded coin and currency shall be submitted separately and not combined with other property, such as wallets, checkbooks, etc.

The “Currency Envelope” serves as the only method for booking currency into the Property and Evidence. Cash is defined as coin and/or currency. Check, credit cards or other negotiable items are not be used with the currency envelope. The Property and Evidence Section will not accept money that has not been packaged appropriately. Currency shall be booked according to the following procedures:

- (a) Cash, currency and other negotiable instruments will be seized as “Evidence” or “Found” or Safekeeping.”
- (b) The responsibility for accurately counting all currency and coinage placed into the Property and Evidence Section rests solely with the booking employee. Any discrepancies in the amount of currency seized may result in an internal investigation.
- (c) The counting of all impounded cash and currency shall be witnessed by a second employee. The witness employee shall also sign the currency envelope. A bill counting machine located in the evidence booking room can be used to verify the amount of currency as well. Using the bill counting machine does not replace the responsibility of a second employee from witnessing the counting of the money.
- (d) Currency shall be separated and grouped together by denomination. Bills shall be laid flat and not folded, with facial portraits facing in the same direction.
- (e) The booking employee should notify the Watch Commander when cash in excess of \$1,000 is seized.
- (f) Foreign currency and coins seized should be booked as above since they have value and may be converted to United States currency, if appropriate.
- (g) Food stamps, traveler’s checks and similar items that are not easily negotiated should be handled as any other paper evidence.
- (h) Collector’s currency and coins, such as proof sets or gold coins that are packaged for display, shall be reported in ARS separately from other seized cash.
 1. Extremely large amounts of coin and/or currency might be seized which, because of the container or quantity of money, make it impractical to package in the currency envelope (e.g., coins stored in a large piggy bank or water bottle, large amount of bills in a briefcase or satchel, etc.). In those rare cases, it is acceptable to log the container containing the money as it is. However, a money count and completion of the currency envelope must still be done. The currency envelope can be taped to the container; however, employees submitting the money shall secure the container with evidence tape.
- (i) Do not use a currency envelope for suspected counterfeit bills. Suspected counterfeit currency is to be booked as property with no cash value.

Property Booking

1403.7 PROPERTY BOOKING – EXPLOSIVES

EXPLOSIVES THAT ARE KNOWN OR SUSPECTED TO BE ARMED OR LIVE, OTHER THAN FIXED SIMULATION, ARE NEVER RETAINED IN THE POLICE DEPARTMENT. All fireworks or fuses that are considered safe will be placed in the green garbage can labeled “Fireworks” secured outside the evidence booking room. Employees who encounter an explosive device shall immediately notify the immediate supervisor and/or Watch Commander. The appropriate EOD Team will be called to handle situations involving explosive devices and all such devices will be released to them for disposal.

1403.8 PROPERTY BOOKING - PHYSIOLOGICAL SPECIMENS

All department members will adhere to reasonable precautions in the handling of physiological specimens or items contaminated with physiological fluids, even when dried, to avoid contaminating themselves or others with infectious agents.

By adhering to the following safety guidelines, employees can significantly reduce the likelihood that they or another employee will contract an infectious disease from the handling of physiological specimens.

- (a) When working with any physiological sample (liquid or dried), always wear disposable gloves.
- (b) Always remove gloves or laboratory clothing before contacting any surface not normally used in the examination of evidence, i.e. telephones, copy machines, desks in the office area, etc.
- (c) When working with any liquid physiological specimens or dried samples which may become airborne (for example, spreading out bloody sheets), wear approved particle filtering masks and safety goggles.
- (d) Wash hands often, especially after handling physiological specimens, before eating, using toilet facilities or answering the telephone. Use the Department provided disinfectant solution.
- (e) Cover work surfaces with paper before placing physiological evidence on the surface. Book the paper with the evidence for trace evidence collection.
- (f) Clean work surfaces after each use.
- (g) Whenever a physiological sample of evidence is known to be contaminated with an infectious agent, make sure that Booking and work areas are clearly labeled to alert others to the hazard.
- (h) Immediately re-package physiological specimens found in broken or leaking containers and place the specimens in sealed plastic to confine any infectious agent.
- (i) Evidence which is stained should be placed into a transparent container when practical, when needed as a court exhibit to eliminate the need to remove the item from its Booking in the courtroom.

Union City Police Department

UCPD Procedures Manual

Property Booking

- (j) Always use extreme care with sharp objects and glassware to avoid accidental puncture wounds and exposure to contaminated objects. Even staples can puncture the skin.

1403.9 USE OF THE DRYING LOCKER

Evidence containing bodily fluids such as blood or semen stains shall be air dried prior to booking. The booking employee shall place the evidence items into the drying locker in the Evidence Booking Room.

The booking employee is responsible for maintaining the chain of custody by securing the drying closet. The employee shall ensure that the closet door is securely closed and locked. The employee shall return the door key to the On Duty Patrol Sergeant. The employee shall also complete the log sheet posted next to each closet.

Once the evidence has dried, the booking employee shall package the evidence into paper bags and submit the items into evidence. The employee can contact the On Duty Patrol Sergeant for the drying locker key. The booking employee shall email the CSI program manager and their Patrol Sergeant advising that the drying locker needs to be cleaned. It is recommended that the filter is removed and booked into evidence.

1403.9.1 BLOOD STAINS

Fresh Moist Stains

Do not heat stained material or place in bright sunlight to dry. Hang clothing and similar articles in the designated drying locker in the Evidence Booking Room.

Caution: If not completely dried before booking, decomposition will occur which may prevent complete testing.

*When the stain is dry, label the item, roll it in paper or place in a paper bag or box, seal and label the container. **DO NOT PLACE STAINED OBJECTS INTO PLASTIC BAGS.***

Affix a Bio-Hazard sticker to the exterior of all packaging.

If the stain cannot be removed in any other manner, use a sterile swab dampened with distilled water to absorb the stain. Make a similar swab of an unstained area. Dry the swabs, place in separate envelopes, seal and mark the container. **Mark all Booking with a Bio-Hazard sticker.**

1403.9.2 SEMEN STAINS

Semen is a good source of DNA evidence. Officers should pay particular attention to the possible presence of semen when investigating rapes and other sexual assaults.

Seminal stains are often, but not always found on clothing, blankets, sheets or other materials in rape and other sex offenses. When they dry they have a stiff, starchy feel and can often be located by touch.

Union City Police Department

UCPD Procedures Manual

Property Booking

In sexual assault cases, the victim should always be examined by a physician and a specimen taken. A timely collection of these specimens is essential since bacterial action rapidly destroys the sperm cells.

Submit all suspected stained materials for laboratory analysis. All garments and stains should be packaged separately. Packages containing the victim's clothing should always be kept separate from those containing the suspect's clothing.

Label all garments or other items submitted.

If damp, do not heat stained material or place in bright sunlight to dry. Hang clothing and similar articles in the drying closet in the Evidence Booking Room.

Caution: If not completely dried before Booking, decomposition will occur which may prevent complete testing.

When the stain is dry, label the item and place it in a paper envelope, bag or box, seal and label the container. **DO NOT PLACE STAINED OBJECTS INTO PLASTIC BAGS.**

Mark all Booking with a Bio-Hazard sticker.

1403.9.3 HAIR/FIBERS

Although hair is a frequently encountered type of evidence, its value for suspect or victim identification is limited. It may be able to provide the race of the owner or evidence establishing if the hair fell out naturally, was pulled, cut, or crushed.

If hair or fibers are firmly attached to an item, such as in dry blood or caught in metal or glass, leave it in place and do not attempt to remove it. If the object is small, collect it, mark and seal it in an envelope. If the object is large, cover the area containing the hair and apply a protective layer of paper to prevent loss or contamination of the hairs during transport.

Recover all hair/fibers that are present. Place the hair/fibers in a vial or paper envelope with sealed corners. Do not mix samples recovered at different locations. Label and seal the container. Never use gummed tape to pick up hairs and do not wash or clean them.

Large areas that are being processed for hair/fibers can be collected by using a 3M vacuum collection system – 1 vacuum filter for each area. When using this system, a standard or control sample should also be taken, if possible.

1403.9.4 SEXUAL ASSAULT KITS

Medical personnel will utilize the sexual assault kit and shall follow the provisions of 13823.11 PC regarding the examination, treatment, preservation and disposition of evidence. The investigating officer is responsible for the chain of custody of the kit and shall book it into evidence after receiving it from the medical facility.

Preservation and disposition of physical evidence shall conform to the following procedures:

Union City Police Department

UCPD Procedures Manual

Property Booking

- (a) If blood or other biological fluids are taken, they must be refrigerated or frozen as appropriate. Whole blood samples must be separated and booked separately from S.A.R.T. kits.
- (b) **All sexual assault kits shall be refrigerated.**
- (c) **All swabs and slides shall be air dried prior to booking. All items of evidence shall be labeled as to the source and the identity of collection person.**

1403.9.5 BLOOD AND URINE SAMPLES

Forensic Analytical envelopes are located in the closest in the temporary holding facility.

Blood and urine samples are collected, labeled and placed in a sealed envelope by a Public Services Officer, phlebotomist, and/or the investigating officer. All blood and urine samples shall be placed first into an appropriate Forensic Analytical envelope and then heat sealed in a polyurethane bag. Then, blood samples shall be placed in the temporary storage refrigerator in the evidence booking room.

1403.10 PROPERTY BOOKING – ALL OTHER ITEMS

Certain property items require a separate process. The following items shall be processed in the described manner:

1403.10.1 BICYCLES

All bicycles, or portions thereof, that are retained by the Union City Police Department, will be transported to and placed in the Evidence Booking Room. Different levels of security for the storage of bicycles may be utilized dependent on the property classification of the bicycle (Evidence vs. Found Property & Safekeeping).

Property tags should be placed on the handlebars of all bicycles and affixed with a zip tie if possible, otherwise on another suitable container portion of the bicycle. All bicycles must be appropriately tagged.

All bicycles with serial numbers and/or licenses are to be checked in the automated property system and the RMS system to determine if the bicycle has been reported stolen.

All identifying information shall be entered into the department automated reporting system: make, model, number of speeds, type of bicycle, male or female, color, and serial number.

1403.10.2 MOTOR VEHICLES

Typically, motor vehicles should only be taken into police impound for specific evidence collection. Routine evidence collection work may be done on impounded automobiles at any contract tow company's storage facility.

Motor vehicles seized as evidence in serious crimes shall be securely stored. Seized vehicles shall be transported to the following locations in the listed priority. The Property & Evidence Technician should be contacted prior to transport to pre-arrange for acceptance of the seized vehicle:

- PD secured Sally Port

Union City Police Department

UCPD Procedures Manual

Property Booking

- The secured outdoor storage site located to the rear of the Union City Corporation Yard.

Motor vehicles retained as evidence requiring long-term storage such as homicides, fatal traffic accidents or serious hit and runs should be transported to the secured outdoor storage off-site with prior notification to the Property & Evidence Technician.

The Records and Communications section should place a copy of the CHP 180 in the Property Section mailbox.

The keys shall be left in the ignition of the vehicle if unlocked or booked into evidence.

1403.10.3 LICENSE PLATES

License plates are the property of the Department of Motor Vehicles from the state of jurisdiction. The public is permitted to use the license plate when the annual fees have been paid.

License plates that are evidence of a criminal offense or otherwise retained for the purpose of prosecution shall be booked into evidence per established procedures.

Found property license plates may be immediately returned to the owner or booked into the Property/Evidence Section. The Property & Evidence Technician is responsible for returning the plates to the DMV.

1403.10.4 FIBERS AND THREADS

Complete threads or long fibers can frequently be collected with tweezers. They should be packaged in Kapac bags. Do not place loose fibers directly into mailing envelopes or other paper containers since they are difficult to locate in the laboratory and the paper itself may contain fibers. If the fibers are short, few in number or firmly adhering to an item, attempt to remove the complete item containing the fiber evidence and place it in a Kapac bag. The fibers may be more readily located and removed from such items by the laboratory.

Whenever thread or fiber evidence is recovered, submit it to the laboratory and clothing of persons from whom the evidence might have originated. Extreme care must be taken to keep all articles of clothing and other objects separate. Each garment should be packaged separately in paper bags.

Fabric impressions which may contain embedded fibers are occasionally found in a variety of cases. If the area containing the impression cannot be conveniently submitted to the lab, a photograph should be taken of the area.

A standard or control sample should be collected, if possible.

1403.10.5 PAINT

Keep all samples collected in separate containers.

If the sample is very small or difficult to remove, the complete item should be sent to the laboratory, if possible.

If the complete item cannot be sent to the laboratory, always scrape or otherwise remove samples of all layers of paint or other material present.

Union City Police Department

UCPD Procedures Manual

Property Booking

Paint samples or scrapings should be packaged in Kapac bags or placed on sheets of white paper, folded, and then sealed to prevent loss.

1403.10.6 GLASS

Shoes, clothing and other items which may contain glass fragments should be marked and packaged separately to avoid cross-contamination.

Place small glass fragments in envelopes or pill boxes, seal and mark the container.

Larger pieces of glass can be wrapped in tissue or another type of paper and then placed in bags or boxes to prevent breakage or other damage to corners.

Write on packaging "glass or broken glass" and affix a **FRAGILE** sticker on it.

1403.10.7 SOIL

If the soil is firmly attached (such as mud on a shoe), do not attempt to remove it. If practical, place the item in a bag or other appropriate container, mark and completely seal the container to prevent any loss of the specimen.

If the soil is loose, shake it all out onto a clean piece of paper. Then fold the paper to enclose the dried soil and place in a plastic envelope or another container which can be sealed completely.

When recovering loose soil or mud from the street or building, pick up and place the dried sample in a plastic bag, jar, box or another appropriate container, seal, and mark. When possible, the sample should not include other obvious contaminating material.

Care must be taken to prevent contamination or loss of samples during collection and transportation. Always place samples in sealed glass containers, if possible. Avoid using paper envelopes as they can leak. If boxes are used, line them with clean paper and seal the box.

Always dry out damp soil specimens or moist objects containing soil or mud prior to Booking (use the evidence drying closet in the evidence booking room).

1403.10.8 TOOL MARKS

All areas on recovered tools which contain transferred paint, building materials or other contamination should be wrapped in paper so that such substances will not be lost. Tools should be packaged to prevent the prying blades or cutting edges from contacting any other surface or object. Care should be taken that no tape is placed on the mark or questioned area of the tool when packaging.

Attempts should never be made to fit tools into questioned marks or to make test marks prior to laboratory examination.

Whenever possible, collect and submit an entire object containing tool marks to the laboratory rather than just removing the area containing the mark. If it is impossible to collect and submit the whole object to the laboratory, a suitable casting material may be utilized to take an impression of the tool mark. Care should be taken to prevent any damage or alteration of the questioned mark. Always cut off or cast sufficient surrounding material so that no damage to the tool mark will

Union City Police Department

UCPD Procedures Manual

Property Booking

occur. A photograph showing the original location of the mark and its relation to its surroundings should accompany any removed mark. Package the object containing the tool marks so that no alterations or damage will occur during collection or transportation.

1403.10.9 GUNSHOT RESIDUE (GSR) KITS

Gunshot Residue (GSR) Kits are pre-packaged and stored in the Watch Commander's office, Supervisor's vehicles and the CSI truck. Instructions and materials for the testing are enclosed in the kit.

Protect the hands of the individual to be tested as soon as possible by bagging them.

Officers must also wear protective gloves (provided) while administering the test so the area swabbed/dabbed will not be contaminated.

Complete the GSR evidence envelope, seal and enter into evidence. Also, complete the form that accompanies the kit.

1403.10.10 DANGEROUS WEAPONS (KNIVES, CLUBS, STUN GUNS, ETC.)

NEVER SUBMIT A CHARGED TASER, STUN GUN OR OTHER TYPE OF ELECTRONIC WEAPON OR DEVICE THAT COULD ACCIDENTALLY BE ACTIVATED OR DISCHARGED .

Remove or disconnect the battery(s) from the unit prior to entering into evidence.

Always package sharp objects in a "Sharps" container to avoid injury to the person handling the item. If the item is too large to place into a standard container, cardboard, paper, Styrofoam or other suitable material should be wrapped around the cutting edge or point.

1403.10.11 HAZARDOUS MATERIALS

NEVER TRANSPORT OR STORE IN OR ABOUT THE POLICE STATION ANY UNEXPLODED (OR SUSPECTED UNEXPLODED) DEVICE. NEVER TRANSPORT OR STORE IN OR ABOUT THE POLICE STATION ANY CLASS "A" EXPLOSIVE SUCH AS DYNAMITE, DESENSITIZED NITROGLYCERIN, LARGE QUANTITIES OF FIREWORKS OR MORE THAN ONE POUND OF BLACK POWDER. Contact the appropriate Bomb Squad to examine, dismantle, transport or dispose of any explosive device or quantity of explosive material.

All evidence recovered from an exploded device should be diagrammed and photographed as found prior to removal.

All suspected hazardous or unknown materials shall first be examined by the ACFD Hazardous Materials Response Unit. If deemed safe for recovery, materials shall be packaged in the appropriate container and transported to and placed into the temporary flammable container outside the evidence booking room. An email shall be sent by the booking employee to the Property/Evidence section making notification of what has been placed in the container.

All objects containing flammable liquids, such as gas-powered tools shall be secured in the evidence booking room. It is the booking officer's responsibility to make notification to the Property/Evidence section that objects have been placed in this location.

Union City Police Department

UCPD Procedures Manual

Property Booking

When flammable liquids are collected, they must be secured in glass containers to eliminate the risk of fire or explosion. It is the responsibilities of the booking officer to ensure only small quantities of fluids are retained as evidence (no more than 2 oz.). These items shall be booked into the yellow flammable locker outside the evidence booking room.

The Fire Department will respond to all arson scenes and assist with expertise and equipment for the appropriate collection, booking and storage of relevant evidence.

All fireworks will be transported to and stored in the green metal garbage can labeled "Illegal Fireworks" outside the evidence booking room. Fireworks shall not be stored in the same locker with any flammable liquid or material.

1403.10.12 JEWELRY

Package jewelry items individually in an envelope, box, bag, or another suitable container as appropriate. Each item of jewelry shall be itemized separately in the ARS. An envelope containing "Miscellaneous jewelry" is not acceptable.

Employees submitting large quantities of expensive jewelry or gemstones should notify the Property/Evidence section requesting that additional security measures be taken.

Avoid using descriptions such as "Gold, silver, diamond," etc. Yellow or white metal, clear stone, etc. are suitable descriptors.

1403.10.13 PHOTOGRAPHS, DVDS AND VIDEOTAPES

The Investigating Officer's first step in the investigation of any major crime is to photograph completely and accurately all aspects of the scene before any items of evidence are removed or disturbed. Remember the nature of the offense and strive to show clearly all the elements of the crime.

All photographs and negatives, digital images, DVDs and videotapes obtained during the course of an investigation are handled as evidence.

Employees submitting negatives, developed photographs (including photo line-ups), digital images, DVDs and videotapes will cause such items to be entered into evidence using appropriate procedures and guidelines as established.

1403.10.14 ALCOHOLIC BEVERAGES

Open containers of alcohol are never booked into the Property Room. The contents should be poured out at the scene in an appropriate manner by the investigating officer who will then describe the condition of the container and its contents in the police report. In rare situations when a sample of the evidence is necessary for prosecution; retain one unopened container (bottle, can), photograph, and destroy the remainder.

Avoid booking into evidence large quantities of alcoholic beverages.

Officers conducting ABC violation investigations should consult with State ABC agents to determine when alcohol containers need to be collected as evidence.

Union City Police Department

UCPD Procedures Manual

Property Booking

1403.10.15 CITY OWNED PROPERTY

City property, unless connected to a known criminal case, should be released directly to the appropriate City Department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

1403.11 PROPERTY PACKAGING GUIDELINES

All property that is collected or seized shall be packaged to avoid contamination and to ensure the integrity of the evidence.

Place the item in a vial, envelope, container or another suitable package. Then seal and mark the envelope or container with initials, badge number, and date.

There are a variety of containers and materials that can be used to package physical evidence and other property. Employees should strive to use the appropriate size and type of material of the container for the type of property being booked. An assortment of packaging materials and supplies for this purpose will be maintained in or near the Evidence Booking Room. It is the responsibility of the Property and Evidence Section to maintain an adequate amount of supplies for this purpose. Always use new, clean containers to prevent contamination.

FIREARMS, MONEY AND CONTROLLED SUBSTANCES must always be packaged separately from other items of evidence or property and in very specific ways. See the specific sections dedicated to these items elsewhere in this chapter.

WARNING: DO NOT PLACE DAMP OR BIOLOGICAL EVIDENCE IN PLASTIC BAGS. See the section on PHYSIOLOGICAL EVIDENCE elsewhere in this chapter.

Paper envelopes are suitable for folded paper bindles containing small powdery material if all corners are sealed. Do not use paper envelopes for fiber evidence; a Kapac bag or pillbox is preferred.

Garments and large exhibits can generally be placed in paper bags, cardboard boxes, or wrapped in paper.

Larger items such as safes, vehicle bumpers, etc., that require further forensic processing can be wrapped in paper, as appropriate, and secured with tape. During normal business hours, contact the Property/evidence section to call ACSO lab to see if the items can be sent directly to the lab.

Paint cans are used to store arson evidence and hazardous materials samples.

Plastic tubes are used to store hypodermic syringes or other sharp objects.

WARNING: DO NOT USE PAPER OR PLASTIC BAGS TO PACKAGE ANY SHARP WEAPON OR OBJECT. See the section DANGEROUS WEAPONS.

Do not over seal a package or container. Avoid or limit the use of staples. Never staple a plastic bag containing fine particles of material. Keep items of evidence separate if cross-contamination is a factor. Every item secured from different locations should be packaged separately.

Union City Police Department

UCPD Procedures Manual

Property Booking

Property that requires evidence processing should be clearly marked and the ACSO evidence lab request form should be turned in to the Watch Commander.

All perishables (food, candy, liquids including alcohol) with no evidentiary value shall be disposed of by the collecting employee and not booked into the Property Room.

1403.12 REMOVAL OF PROPERTY FROM DECEASED PERSONS

It is unlawful for any person to search or remove any papers, money, valuable property or weapons constituting the estate of a deceased person, or from any person who is deceased prior to the arrival of the Coroner or without the express permission of the Coroner, per 27491.3(c) GC.

Exception: A police officer may search the person and property around a deceased person whose death was caused by a traffic collision for the purpose of locating a driver's license or identification card to determine if an anatomical donor card is attached, per 27491.3(d) GC.

When a police officer wishes to search a decedent or his estate for a purpose other than to locate an anatomical donor card and the Coroner has not yet arrived, permission for the search may be obtained from the Coroner's office by telephone or radio.

Other factors to consider are:

- The possible necessity of obtaining a search warrant to authorize the search of other than the decedent's body in any case which may ultimately result in a criminal prosecution.
- The preservation of physical evidence, which may be contaminated, lost or moved by a careless or hasty search.

1403.12.1 SUICIDES

Documents apparently written by the deceased which may tend to indicate the deceased's intention to take his/her own life, including directions for disposition of property or the disposal of remains, are the property of the Coroner's office. The Coroner's office shall collect these documents, per 27484 GC. Copies of these documents will be made available to the investigating officer and the originals will be available for examination.

Implements used to commit suicide may be collected by the Coroner's office and retained by that office as necessary.

When the Department elects to collect evidence relating to a suicide death, the investigation will be deemed to be a homicide investigation.

1403.12.2 HOMICIDES

The Union City Police Department has the authority and responsibility for the collection and preservation of physical evidence involved with homicidal deaths. At the same time, the Coroner's office has the responsibility for safeguarding the body and the property of the decedent. The Government Code enforces that responsibility with provisions which make it unlawful for any person to remove certain types of items from the decedent's body or estate prior to the arrival of

Union City Police Department

UCPD Procedures Manual

Property Booking

the Coroner, or without the Coroner's express permission. Those provisions have the following practical effect:

- (a) Physical evidence which is on the body shall not be removed from the body until the pathologist approves its removal at autopsy. Earlier removal of evidence from the body may be accomplished, when necessary, as follows:
 - 1. Weapons, wallets, papers, money and valuables may be removed from the body when necessary, for immediate investigative needs, i.e. when the identity of the deceased is urgently needed, or when necessary to protect the evidence from loss of contamination, such as from weather, crowds, etc. Before removing these items, permission from the Coroner's officer must first be sought. If permission is obtained, or if contact with the Coroner's office cannot be made, the items may be removed from the body to satisfy the immediate need. Care must be taken to preserve the evidentiary value of removed items, to prevent contamination and to maintain the chain of custody. Items removed from the body shall not be removed from the immediate vicinity of the body without the express permission of the Coroner's office.
 - 2. Evidence on the body, such as loose hairs, fibers, vegetation, blood, gunshot residue, etc., may be removed from the body without the prior permission of the Coroner's office only if necessary to protect that evidence. Evidence that can be safely left on the body for later collection at an autopsy shall not be removed prior to the pathologist's inspection.
- (b) Weapons, wallets, papers, money and valuables which are not the body but have evidentiary value may be inspected and collected by the Department without the prior approval of the Coroner's office. However, items shall not be removed from the scene without the Coroner's express permission.

Employees conducting a search for evidence are responsible for determining the lawfulness of their search.

1403.13 REVISIONS

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