

# **City of Fairfax Police Department**



## **Evidence Packaging Manual**

Created by MPO Lynn Coulter

## I. INTRODUCTION:

This manual has been prepared to familiarize all employees with the preferred method for packaging evidence and property. This manual has also been developed to help standardize the packaging process of items for efficient and safe storage.

Memos and/or emails will be distributed pending changes in court requirements or discovery of new techniques.

These methods and procedures are presented for two main reasons:

- To ensure that evidence is properly handled, documented and preserved to prevent contamination and/or inadmissibility in court.
  - To ensure that property is disposed of in an appropriate, lawful and timely manner once it is no longer of use to law enforcement.
- A. The collection of property/evidence should not be taken lightly by any employee of this department. The process of collecting, recording, controlling, storing and disposing of property is multifaceted, with a direct and profound impact on the integrity of the officers, this department, as well as the criminal justice system as a whole.
- B. Officers are urged to use prudent judgment, as well as common sense, when submitting property/evidence. Often times, valuable time is wasted correcting mistakes in packaging and documentation when careful attention to correct procedures is not followed.

For the purpose of this manual, property is defined and categorized as follows:

- A. **Evidence** is any property that comes into the custody of a police department employee when such property may tend to prove or disprove the commission of a crime, or the identity of the suspect, pursuant to an official criminal investigation. Status: E
- **Examples of evidence:** Physical, chemical, biological or photographic evidence left at the scene of a crime by a victim, or suspect; recovered (stolen) property; or suspected stolen property.
- B. **Property for Safekeeping** is any property of no evidentiary value surrendered to an employee of this department for temporary custody with the understanding that the person **surrendering** the property has a **legal right** to do so, and that the property will be returned to the rightful owner(s) at the end of a specified period of time, unless disposition by the department in a manner prescribed by law is requested by the owner(s). Examples of safekeeping would be items the Adult Detention Center (ADC) refuses to hold for prisoners such as large suitcases. Those detained at ADC should be advised where their property is located. Status: R

C. **Found Property** is any property of no evidentiary value whatsoever, which comes into the custody of an employee of this Department, and whose rightful owner may, or may not, be known to the finder or the Department. Due diligence must be exercised to locate or identify the rightful owner. Upon failing to do so, the Department will dispose of the property in a manner prescribed by law (usually after 60 days of receipt). The reporting officer should make every effort to contact the owner of the property, making sure the name, address and phone numbers are listed on the property card and in the report. If there is an ID with the property, list the date of birth and driver's license and/or social security number in the report. This will save the Property Officer from having to open the sealed packaging.  
Status: R

D. **Property for Destruction** is any property, including firearms and ammunition, released by a citizen to the City of Fairfax Police Department for disposal. Status: D

Case Report should be written detailing the circumstances of how we acquired the items, which are placed into property. Full information on the owner (if known) should be included along with when, and if the owner was contacted.

## II. SUPPLIES AND FORMS

Evidence Packaging is provided by the Property Officer.

### A. Forms

- 1) The property logbook is a ledger book located at the evidence office window in the packaging area. Entries noting the Case Number, Date of Incident, Description of Items, the Officer's Name, Property Owner's Name and Location where items were seized. Each entry must be completed fully (See G. O. 9-3, II, H, / Attachment A). Completed logbooks are maintained in the Property Section. The logbook shall be kept indefinitely.

Evidence Room Counter & Log Book



**\*\*ONE PROPERTY NUMBER PER CASE NUMBER NO MATTER WHEN THE ITEMS ARE SUBMITTED\*\***

- 2) The Property card (PD-24A) is to be completely filled out. **All copies are to be submitted to the Property Officer.** The Property card is to be placed in the tray next to the logbook. Once the Property Officer completes the card, the top copy of the card is returned to the submitting officer.
  - a) The submitting officer completes the top line with the property number, case number and date of incident.
  - b) In the next line the officer fills in his/her name, EIN (employee identification number), type of incident (larceny, malicious wounding, etc). If there is another officer that will be investigating the case, their name is entered in the investigator box. **Write the type of incident in the box along with "M" for misdemeanor or "F" for felony. Example: Vandalism – M.** This will help with knowing when the items can be purged.
  - c) The next lines should be completed and include, who the items were obtained from and owner's name, complete address including zip code and phone number.
  - d) If anything is releasable, that person's name should be filled out and the officer signs and dates the card.
  - e) Itemize each piece of property individually. **NO** "Assorted Tools" "Assorted Jewelry", etc. Each item should be numbered (1, 2, 3, etc). The quantity of each item listed, then the description of each item. This includes the make, color, size, model number and serial number. Provide as much description as possible.

Property Card (PD-24A)

Property No. 0000	Date of Event 01-01-09	CITY OF FAIRFAX POLICE DEPARTMENT PROPERTY RECEIPT		Case No. 09-98765	Card 1 of 2				
Officer (Print) R Jones	Badge EIN 1000	Type of Event Larceny (F)	Investigator (Print) Det. F. Smith	Badge EIN 1100					
Obtained From Last, First, MI Last, First, MI	Address 9400 Fairfax Blvd, Fairfax, Va 22030	Telephone (Home) 703-123-4567	Telephone (Bus.)						
Owners Name Last, First, MI	Address 9800 Main St, Fairfax, Va 22030	Telephone (Home) 703-765-4321	Telephone (Bus.)						
I certify that the property listed herein should be retained as indicated in the status block. Releasable items go to <u>OWNER'S NAME</u> Signature: Investigator/Officer <u>Officer's Signature</u> Date <u>01-01-09</u>									
I certify that I received the items listed on card(s) 1 thru _____ items _____ were in secured containers. Signature: Property Room Rep. _____ Date _____ Time _____									
Item #	Quantity	Item	Make	Property Description Model	Color	Serial No./ Owners ID	Status	Storage Loc.	
1	1	Handgun	Glock	22 Semi-Auto	.40 cal	Black AA12345	E		
2	1	Magazines			Black		E		
3	10	Bullets	Federal	.40			E		
I certify that I am authorized to take possession and have received the cited items and release the Fairfax City Police Department of all responsibility.									
Item #	Signature of Receiver	Address	Releaser's Signature	Date					

PD24-A (Rev 12/04) Distribution: Pink - Return to Officer, Yellow - Temporary Receipt, White - Property Room

- The Supplement Property Card (PD-24B) should be completed the same way as PD-24A. If there are lines not used, draw a diagonal line through the rest and initial next to the line. **All copies are to be submitted to the Property Officer.** The Property card is to be placed in the tray next to the log book in the Packaging area. Once the Property Officer completes the card, the top copy of the card is returned to the submitting officer.

Property Card (PD-24B)

Property Receipt Supplement		CITY OF FAIRFAX POLICE DEPARTMENT			Date of Event 01-01-09	Card 2 of 2					
Prop. No. 0000	Case No. 09-98765	Officer R. Jones	Badge EIN 1000	Investigator (Print) Det. F. Smith	Badge EIN 1100						
Item #	Quantity	Item	Make	Property Description Model	Color	Serial No./ Owners ID	NCIC-VCIN TT No.	Status	Prop. Class	Storage Loc.	Disp. Code
4		Currency		\$123.47				E			
<del>_____</del> BJ											
I certify that I am authorized to take possession and have received the cited items and release the Fairfax City Police Department of all responsibility.											
Item #	Signature of Receiver	Address	Releaser's Signature	Date							

PD24-B 2/02 Distribution: Pink - Return to Officer, Yellow - Temporary Receipt, White - Property Room

- 4) The Release Authorization (PD-24C) form (Attachment B) should be completed when the items are no longer needed for evidence. List all items separately. Use additional pages if necessary. If the items are to be released, put the name next to "Release To:" If the item is to be destroyed, write "Destroy" next to "Release To:" These items will be held during the necessary appeal period before being released.

Notification will be sent to the owner (if releasable) by the Property Officer. From there it will be held for the required 60 days and then disposed of properly.

All items signed out for court should be returned by the end of the day. If the evidence is no longer needed, complete a Release Form (PD-24C). The items will be held the necessary appeal period, then a notification for release will be sent to the owner (if releasable) by the Property Officer. From there it will be held for the required 60 days, and then disposed of properly.

The Release Authorization (PD-24C) form can be found in the packaging area and on the "Department" drive under Evidence. This form can then be emailed to the Property Officer.

- 5) The Court Seized Form (PD-142) (Attachment C) will be completed when items are seized by the court. This form is returned to the Property Officer immediately after court.
- 6) Status Reports (PD-130) or computer printouts are done semiannually. Each case should be reviewed. According to VA Code 19.2-8 (Attachment D), if warrants have not been issued on misdemeanor cases, excluding larcenies, within one year, evidence will no longer need to be retained in the property section. Larcenies are held for five years. Items are either kept as evidence (E), releasable (R), or to be destroyed (D). If at all possible, the items should go back to the owner. Stereo equipment, etc. should not be listed for destruction for an easy solution. If the owner is known, advise the property officer. **No items are releasable to case file.** All evidence, no matter what type is kept in evidence.

## B. Packaging Supplies

### Envelopes –

Narcotics lock seal envelopes PD-44

CITY OF FAIRFAX POLICE DEPARTMENT  
FAIRFAX, VIRGINIA

Property No. \_\_\_\_\_  
 Acquisition Date \_\_\_\_\_ Date Seized \_\_\_\_\_  
 Case No. \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Date \_\_\_\_\_ Time \_\_\_\_\_  
 Received By \_\_\_\_\_  
 Witness \_\_\_\_\_  
 Police Reporting Officer \_\_\_\_\_

**Narcotics Degree Verification Label**  
 Contains name of owner and serial #  
 Weight and net weight of substance  
 Serial and quantity of items  
 PROPERTY OFFICER USE ONLY  
 Sealed by \_\_\_\_\_ Date/Time \_\_\_\_\_  
 Sealed?  YES  NO

Currency envelopes PD-172

City of Fairfax Police  
**Currency Security Envelope**

Case Number \_\_\_\_\_ Property Number \_\_\_\_\_  
 Case Date \_\_\_\_\_ Date of Seizure \_\_\_\_\_  
 Case Type  Evidence  Retained  Found  Subsequent

Location \_\_\_\_\_

COIN		PAPER CURRENCY	
Pennies =	_____	\$ 1.00 =	_____
Nickels =	_____	\$ 2.00 =	_____
Dimes =	_____	\$ 5.00 =	_____
Quarters =	_____	\$ 10.00 =	_____
1/2 Dollars =	_____	\$ 20.00 =	_____
Dollars =	_____	\$ 50.00 =	_____
<b>A. SUBTOTAL</b>	_____	\$ 100.00 =	_____
<b>TOTAL ENCLOSED</b>	_____	\$ _____ =	_____
A. Subtotal =	_____	B. Subtotal =	_____
B. Subtotal =	_____	TOTAL =	_____

Counted, deposited and sealed by \_\_\_\_\_  
 Counted, verified and witnessed by \_\_\_\_\_

**PROPERTY OFFICER USE ONLY**  
 Received by \_\_\_\_\_ Date/Time \_\_\_\_\_  
 Sealed?  YES  NO

PD-172 1-99

“A” envelopes: 6” X 9” (old)

CITY OF FAIRFAX POLICE DEPARTMENT

CASE NUMBER \_\_\_\_\_ PROPERTY NUMBER \_\_\_\_\_  
 ITEM NUMBER AND DESCRIPTION \_\_\_\_\_  
 Date # \_\_\_\_\_  
 Date # \_\_\_\_\_  
 Date # \_\_\_\_\_  
 Date # \_\_\_\_\_  
 DATE: \_\_\_\_\_ OFFICER: \_\_\_\_\_

“A” envelopes: 6” X 9” (new)

CITY OF FAIRFAX POLICE  
PROPERTY & EVIDENCE

CASE# \_\_\_\_\_ PROP# \_\_\_\_\_  
 OFFICER: \_\_\_\_\_ EIN: \_\_\_\_\_  
 ITEM: \_\_\_\_\_

IMPROPER USE OF THIS BAG IS IN VIOLATION OF  
DEPARTMENTAL REGULATIONS AND VIRGINIA STATE CODE

“B” envelopes: 9”X 12” (old)

**EVIDENCE**

CASE # \_\_\_\_\_ INVESTIGATOR # \_\_\_\_\_  
**CONTENTS**

DATE AND TIME OF RECEIPT \_\_\_\_\_  
 LOCATION OF RECEIPT \_\_\_\_\_  
 RECEIVED BY \_\_\_\_\_  
 SUSPECT \_\_\_\_\_  
 VICTIM \_\_\_\_\_  
 TYPE OF OFFENSE \_\_\_\_\_

**CHAIN OF CUSTODY**

RECEIVED FROM \_\_\_\_\_ BY \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 RECEIVED FROM \_\_\_\_\_ BY \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 RECEIVED FROM \_\_\_\_\_ BY \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_

FAIRFAX POLICE DEPARTMENT  
1-800-243-5434  
ITEM # 201

“B” envelopes: 9”X12” (new)

CITY OF FAIRFAX POLICE  
PROPERTY & EVIDENCE

CASE# \_\_\_\_\_ PROP# \_\_\_\_\_  
 OFFICER: \_\_\_\_\_ EIN: \_\_\_\_\_  
 ITEM: \_\_\_\_\_

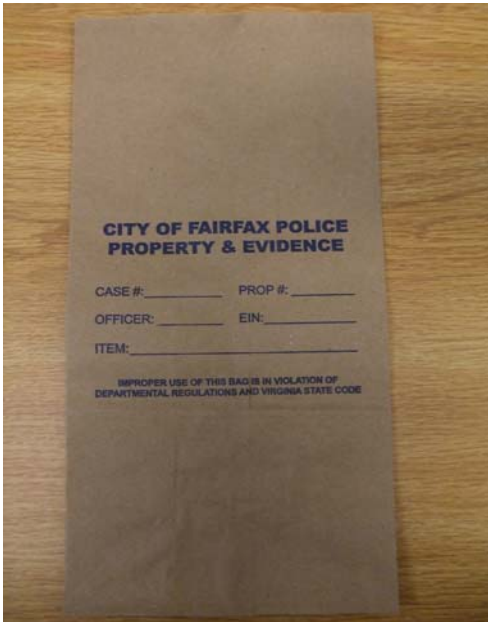
IMPROPER USE OF THIS BAG IS IN VIOLATION OF  
DEPARTMENTAL REGULATIONS AND VIRGINIA STATE CODE



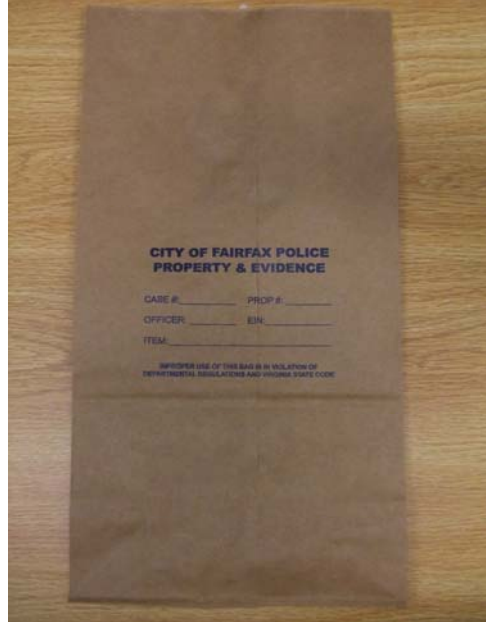
**Paper Bags** – Four sizes of brown paper bags are provided for packaging various types of evidence and property. Please place the items in the appropriate size bag.

Here are photos of the four brown paper bags:

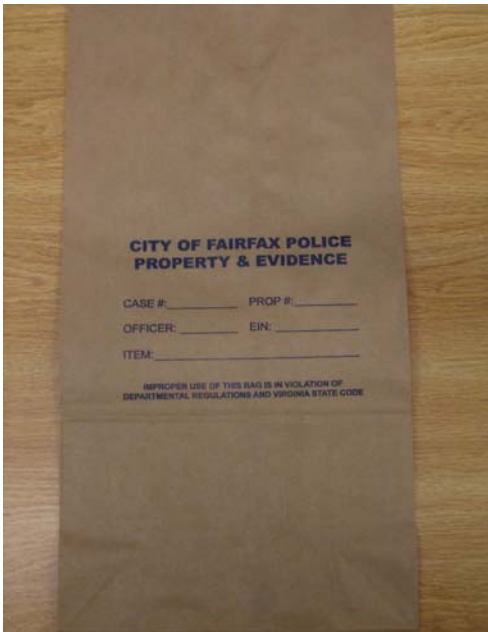
Bag #1      5"x3"x9" (small)



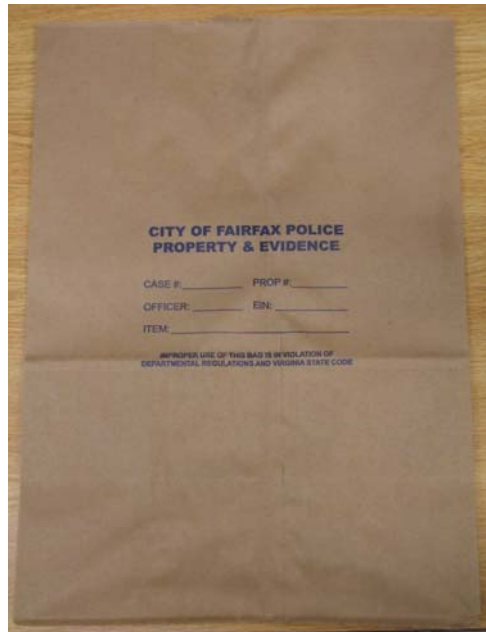
Bag #2      7"x4"x13" (middle)



Bag #3      8"x5"x16" (Large)



Bag #4      12"x7"x17" (X-Large)



## Boxes –

### Knife boxes



### Small gun boxes



### Long gun boxes



## Evidence Tags –

PROPERTY/EVIDENCE TAG

Date \_\_\_\_\_ Time \_\_\_\_\_ Case # \_\_\_\_\_ Property # \_\_\_\_\_

Class: Evidence \_\_\_\_\_ Lost & Found \_\_\_\_\_ Safekeeping \_\_\_\_\_

Suspected Frains of Crime \_\_\_\_\_ Other \_\_\_\_\_

Item: \_\_\_\_\_

SN \_\_\_\_\_

Officer \_\_\_\_\_ PD-37 (3-92)

## Label - New Label

CITY OF FAIRFAX POLICE DEPARTMENT

CASE NUMBER: \_\_\_\_\_ PROPERTY NUMBER: \_\_\_\_\_

ITEM NUMBER AND DESCRIPTION:

Item # \_\_\_\_\_

Item # \_\_\_\_\_

Item # \_\_\_\_\_

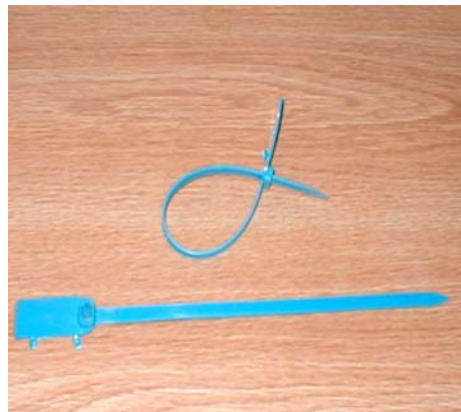
Item # \_\_\_\_\_

Item # \_\_\_\_\_

DATE: \_\_\_\_\_ OFFICER: \_\_\_\_\_

PD-11 Rev. 01-05

## Plastic Tabs –



All packaging must be sealed. If the items are evidence, use the tape printed as “Evidence”. All other items, for release, destruction, etc. can be sealed using the clear packaging tape.

**DO NOT USE STAPLES** – they can create the risk of injury when the bags are handled.

### III. STORAGE LOCATIONS

The following are storage areas for all types of evidence. Use the appropriate size storage.

- A. Locker #23 – used for small items that fit through the slot.
- B. Metal wall lockers – use appropriate size for packages.
- C. Refrigerator – used for Perk Kits or other items that need refrigerated
- D. NOVARIS box – All print cards or latent prints that are to be sent to NOVARIS should be sealed in appropriate envelope and dropped in slot.
- E. Secured lot at the Property Yard – for bicycles, moped, motorcycles and vehicles held for evidence.

If larger items or large quantities of items exceeding the open storage areas are seized, the Property Officer may be notified to respond and collect the items.

Evidence Lockers



**Alcohol:** If possible and allowed by State Code, photograph and follow the procedures in VA Code 19.2-270.1 (Attachment E) and either return recovered items or pour it out in front of the owner, if appropriate. If evidence of alcohol content is needed for evidence, consider whether a sample would be sufficient. When possible, take a sample of the liquid from a beer keg, dump the beer and return the keg to the renter. (See G. O. 9-3, II, B / Attachment F). Plastic jars are provided when samples are needed for lab or court. Two jars will be kept in each Supervisors vehicle. When they are used, please advise the property officer. Seal the jar with evidence tape and place all jars in a plastic zip lock bag before placing in a paper bag. Also, under VA Code 4.1-353 (Attachment G), a sealed unopened labeled can/bottle is enough per se evidence to prove alcoholic content.

**Ammunition:** Place all ammunition in the smallest bag possible. List all types of rounds separately on the property cards (example: 9mm, 38cal, etc). Ammunition should **not** be packaged with guns.

**Audio/Video Tapes:** Place VHS, Cassette, DVD, mini cassettes in the small 6" X 9" envelopes. If it needs to be viewed by the Detective, place the completed PD-179A form **inside** the package.

**Bicycles/Mopeds/Motorcycles:** Place all in the secured lot at the City Shop. Try and place it next to the last item in the row. List the make, color and serial number/VIN number. Place a colored tab with the property number on the handlebars, or as close to the handlebars as possible.

**Biohazard Material:** Place in an appropriate size "Biohazard" bag or place in a double paper bag with "Biohazard" stickers on all sides of the package. Write what type of Biohazard on the sticker, i.e. blood, urine, etc. **If items are wet, they must be dried in the drying cabinet prior to packaging.**

**Body Fluids:** Place in an appropriate size paper bag with "Biohazard" sticker on both sides of the package. Write what type of Biohazard on the sticker, i.e. blood, urine, etc.

**Bulk Property/Evidence:** If they do not fit into an evidence envelope, complete and attach a label card.

**Computers:** Submitted intact and closed. Use label or sticker placed on outer casing.

**Credit Cards/Driver License/Small Flat Items:** Should be placed in a 6" X 9" envelope.

**Currency:** All money taken in as evidence or releasable will be listed separately and packaged in a currency envelope. Do not package the currency envelope with the other items. This includes coin collections and all foreign currency. All money is stored in evidence in a separate location.

**Documents:** Place in an envelope that is proportionate with the property.

**Electronics:** Cell phones, TV's, stereos – record the make, model and serial number. Place in the smallest envelope. If the item is too big to package, attach a completed evidence tag (PD-37).

**Explosive/Fireworks/Flammables/Hazardous Material:** If possible, notify the Property Officer of the type of item. Explosives should not go into evidence. Notify the Fairfax County Bomb Squad for appropriate disposal. A small amount of fireworks can be stored in the evidence room. If you are not sure of the proper storage, notify the fire marshal on the proper handling. Large quantities of flammables should be referred to the fire marshal for storage or disposal. Large quantities will need to be labeled and stored in the secured storage lot at the property yard away from any other items secured there. If possible, under state code (depending on the case), photograph and dispose of the items.

No explosive, incendiary devices, caustic materials or any other chemical of a dangerous nature are to be stored in the evidence room.

**Glass:** Broken pieces of glass should be placed in a gun or knife box. Small pieces of glass should be put in an appropriate size paper bag then placed in a gun or knife box to prevent cuts.

**Knives/Swords:** Should be placed and secured with plastic tabs in the appropriate size box. Swords can be secured in rifle boxes. If necessary, wrap a small envelope around the blade and secure with tape. They should be packaged separately from the other items since they are stored in evidence in a separate location.

**Latent Prints:** Any recovered latent print should be placed in the NOVARIS envelopes and placed in the NOVARIS box located on the counter in the Packaging area.

**License Plates:** All license plates should be placed in a "B" envelope and sealed.

**Narcotics:** All narcotics, whether prescription or illegal, should be secured in a lock seal envelope. **All paraphernalia** with residue should also be secured in lock seal envelope. If the item is too large for the lock seal, place the item in an appropriate size package. The lock seal envelope should be weighed **after** the envelope is **sealed**. Remember to weigh the evidence before packaging and record in the case report. All narcotics should be packaged separately from the other items since they are stored in evidence in a separate location.

**Paint samples or scraping:** Should be placed in a plain piece of folder paper (druggist fold) then in an appropriate size paper bag.

**Photographs/Film:** Placed in the smallest appropriate size package.

**Syringes/Sharps:** Placed in the plastic sharps containers then placed in the appropriate size package. If the item does not fit in the sharp container, wrap the item in an appropriate size bag and secure in a knife box with plastic tabs. Put Biohazard stickers on the box with the word "knife" or "sharp" written on the sticker.

**\*\*Tools:** All tools must be itemized. **NO** “Assorted Tools” List type individually (example: 5 flathead screwdrivers, 3 phillips head screwdrivers, 2 wrenches, etc). If they are power tools, list the make model, serial number.

**Valuables/Jewelry:** Must be packaged separately from all other items. All items must be listed separately. **NO** “Assorted Jewelry”. List each individually (example: yellow colored metal ring with 4 green stones). These can be packaged and labeled in the small plastic baggies, then placed in paper envelopes. These items should be packaged separately since they are stored in evidence in a separate location.

**Wallets/Purses:** Attempt to locate any owner information so the owner can be notified. If the owner cannot be located, put as much information on the property card as possible so that the property officer can send a PD-95 notice. Remove all currency from the wallet/purse and place it in a currency envelope. All should be listed in the case report.

**Weapons:** All handguns should be placed and secured in gun boxes with plastic tabs. A colored tab should be inserted through the cylinder of a revolver or up through the grip and out the ejection port of a semi auto. If one is too small, put two together to get it through and secure it. Record the make model, serial number and color (nickel/blue). All weapons should be unloaded and ammo packaged separately. Empty magazines can be secured in the box with the gun. Rifles, shotguns or any type of long gun should also be unloaded with a color tab through the chamber. Secure the long gun in a rifle box after the make, model, serial number and color are recorded. **All this information is needed to run the weapon through the ATF file.** These items should be packaged separately since they are stored in evidence in a separate location.

**No food will be stored in evidence – photograph following VA Code 19.2-270.1 and return.**

When done with the evidence, complete a PD-24C to release it back to the owner, if possible, or note to have the items destroyed.

All wet items must be dried before being packaged.

D. Mark, Package and Transport:

1. The Property Officer places packaging material next to the Property Log Book for officers' use. Evidence Technicians carry additional packaging material.
2. Physical evidence is collected, marked and packaged in accordance with General Order 4-5, Crime Scene Procedures. Other acquired in-custody property should be similarly marked for further identification.
3. The recovering officer is responsible for the proper labeling or marking of all items taken into custody to prevent any tampering, contamination, or destruction of same. Items placed in opaque packaging should have a complete description of contents on the outside of the container. Items packaged in clear plastic require less descriptive markings on outside surfaces.
4. The following items must be packaged separate from any other items of property:
  - a. Ammunition
  - b. Firearms (see G.O. 9-5 for Firearms suspected to have been used in a crime)
  - c. Currency.
    - All currency is placed in a Currency Security Envelope (PD-172).
    - Currency must be counted and verified by two officers with the results of the count documented on the information label on the Currency Security Envelope.
    - Once the Currency Security Envelope flap has been sealed, the depositing officer places a strip of security evidence tape across the closure flap.
  - d. Drugs
    - Whenever possible drugs are placed in PD-44 Lock Seal evidence envelope.
    - The placement of the drugs in the envelope and the sealing of the envelope must be witnessed by a second officer.
    - After the evidence has been placed in the envelope, and the lock tab flap sealed, a strip of security evidence tape is placed across the flap seal.
    - If not already attached to the lock seal evidence envelope, a Narcotics Deposit Verification Label is affixed to the lower right corner of the envelope.
    - The sealed envelope is then weighed using the evidence scale located outside the property officer's office.
    - The weight is recorded on the Narcotics Deposit Verification Label along with the names of the depositing and witnessing officer.
    - Upon receipt, the property officer examines the evidence envelope for security and weights it, recording the findings on the bottom of the Narcotics Deposit Verification Label.



- e. Jewelry
  - f. Knives
  - g. Fireworks.
5. All potentially dangerous items must be rendered safe prior to submission to the Property Section, except when doing so would destroy evidence:
- a. Firearms must be unloaded and packaged in the provided gun box.
  - b. Open blade knives should have exposed edges covered and packaged in the provided knife box.
  - c. Fireworks should be packaged in paper or cardboard containers.
  - d. Blood soaked items must be air dried, packaged in paper and require special handling as indicated in General Order 4-5, Crime Scene Procedures.
  - e. Needles are packaged in hard plastic containers provided for this purpose.
6. Officers should consider the potential damage to valuable property that can occur with indiscriminate marking (i.e., a valuable piece of crystal may be marked with an indelible pen in an inconspicuous or hidden area or have a property tag contain all markings, rather than scribing or etching on the surface).

E. Make NCIC/VCIN Checks, where applicable:

- 1. Appropriate stolen status checks should be made in an attempt to make expedient return of the property. If it is found that the property is connected with a previous City case number, that number follows the property through the system.
- 2. Once taken into custody, property must be logged into the Property Log Book prior to any release. Such property may only be released to its rightful owner or another law enforcement agency upon completion of a PD-24A/B Property Receipt. Once unclaimed, property must be stored in the property/evidence room.
- 3. If a hit is received, NCIC/VCIN TT numbers should be noted on the Property Receipt.

F. If the item is a Firearm that is believed to have been used in a crime see General Order 9-5, Virginia Firearms Clearinghouse.

G. Contact Owner, where applicable:

- 1. If a rightful owner is identified and can take possession of property that does not otherwise require storage, step E, 2 above applies.
- 2. Unclaimed property must be stored and disposed of by the Property Officer in accordance with Chapter 50 of the Code of the City of Fairfax.

H. Log in Property Book:

1. The Property Book is used to initiate the property storage procedure and to tie in a property number with the case number. If an error is made, a line should be drawn through the error, no white out is used in the property book.
2. The following information should be logged in the appropriate column, left to right:
  - a. Column 1 Contains the property number in sequential order.
  - b. Column 2 Enter one case number only.
  - c. Column 3 Date of event.
  - d. Column 4 Time
  - e. Column 5 Brief Description of Property: It is not necessary to itemize property in this column. Be as specific as space allows, i.e., Schwinn 26" Man's Bicycle, Red, but in cases where the list of evidence is extensive an entry such as, "Boxed Evidence from Assault Scene" is permissible.
  - f. Column 6 Name of the submitting officer.
  - g. Column 7 Owner of property (if known).
  - h. Column 8 STATUS, Evidence, Releasable, or Destroy.
  - i. Column 9 Location: Enter address or location custody of property taken.

I. Complete Property Receipt:

1. The PD-24A Property Receipt and PD-24B Property Receipt Supplement are the instruments used to itemize and describe in detail property which is taken into custody.
2. The recovering officer should be as complete and descriptive as possible, drawing a line or placing N/A in unused blocks. Be sure a status is indicated and the receipt is signed by the submitting officer.
3. Persons asking for a copy of the receipt should be referred to the Property Officer.

J. Submit Property Receipt to Property Officer:

1. All three copies must be submitted.
2. The completed receipt is placed in the Property Officer's inbox.
3. The Property Officer signs the receipt and returns the pink copy to the submitting officer's mailbox.

K. Place Property in Appropriate One-Way Lock Storage Area:

1. Receiving areas for property/evidence are designed to secure items with or without the presence of the Property Officer.
2. If the Property Officer is present and available, property may be submitted directly.

3. After hours submission of property is made by placing the property in the one-way lock wall lockers next to the Property Log book.
4. Evidence which needs to be refrigerated is:
  - a. Placed in the evidence refrigerator which is located with the one-way lock wall lockers.
5. Flammable material must not be stored in the Headquarters building. In certain circumstances, this material may be stored in the secure police impound lot at the Property Yard. Fireworks may be stored temporarily in the Property/Evidence room if packaged separately and the Fire Marshal is consulted by the Property Officer. Officers should seek the assistance of a Fire Marshal for proper storage procedures of flammables and explosives.
6. All bicycles, mopeds and scooters are placed in the police impound lot after attaching a plastic tag bearing the property number on the handlebar.
7. Large bulky items may also require the officer to store the property in the police vehicle impound lot, as long as outside storage is not deemed to be an evidentiary or significant deterioration issue. Officers should remain aware that the impound lot does not provide a level of security desired for evidentiary property. The Property Officer may be contacted in special cases.
8. The Property Officer assigns the property a storage area:
  - a. Property is stored in the Property/Evidence room adjacent to the Property Officer's office.
  - b. A separate area with added protection is maintained for the storage of:
    - Money
    - Jewelry
    - Weapons
    - Precious Metals
    - Narcotics
9. Normal property release hours are from 0800 to 1500 hrs Monday thru Friday.

**RELEASE AUTHORIZATION FORM**

Case Number \_\_\_\_\_

Property Number \_\_\_\_\_

Item Number(s)      Description: \_\_\_\_\_

Item Number(s)      Description: \_\_\_\_\_

Item Number(s)      Description: \_\_\_\_\_

Item Number(s)      Description: \_\_\_\_\_

Release to: \_\_\_\_\_

Authorized By (**Print**): \_\_\_\_\_

Authorized By (Signature): \_\_\_\_\_

Date: \_\_\_\_\_

The Property Officer is the keeper and guardian of property and evidence and not the decision-maker. Any time a detective or officer authorizes any property or evidence to be released to the owner, court, and other jurisdiction or for destruction it should be documented with the Property Officer and retained with other property documentation for future reference.

Attachment C

CITY OF FAIRFAX POLICE DEPARTMENT  
RECEIPT FOR EVIDENCE RETAINED BY COURT

THE BELOW LISTED PROPERTY WAS RETAINED AS EVIDENCE BY THE:

\_\_\_\_\_ GENERAL DISTRICT; \_\_\_\_\_ JUVENILE; \_\_\_\_\_ CIRCUIT COURT

ON \_\_\_\_\_.

POLICE PROPERTY NO. \_\_\_\_\_

DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CLERK OF THE COURT: \_\_\_\_\_ DATE: \_\_\_\_\_

PD-142

## Attachment D

### § 19.2-8. Limitation of prosecutions.

A prosecution for a misdemeanor, or any pecuniary fine, forfeiture, penalty or amercement, shall be commenced within one year next after there was cause therefor, except that a prosecution for petit larceny may be commenced within five years, and for an attempt to produce abortion, within two years after commission of the offense.

A prosecution for violation of laws governing the placement of children for adoption without a license pursuant to § 63.2-1701 shall be commenced within one year from the date of the filing of the petition for adoption.

A prosecution for making a false statement or representation of a material fact knowing it to be false or knowingly failing to disclose a material fact, to obtain or increase any benefit or other payment under the Virginia Unemployment Compensation Act (§ 60.2-100 et seq.) shall be commenced within three years next after the commission of the offense.

A prosecution for any violation of § 10.1-1320, 62.1-44.32 (b), 62.1-194.1, or Article 11 (§ 62.1-44.34:14 et seq.) of Chapter 3.1 of Title 62.1 that involves the discharge, dumping or emission of any toxic substance as defined in § 32.1-239 shall be commenced within three years next after the commission of the offense.

Prosecution of Building Code violations under § 36-106 shall commence within one year of discovery of the offense by the owner or by the building official; provided that such discovery occurs within two years of the date of initial occupancy or use after construction of the building or structure, or the issuance of a certificate of use and occupancy for the building or structure, whichever is later. However, prosecutions under § 36-106 relating to the maintenance of existing buildings or structures as contained in the Uniform Statewide Building Code shall commence within one year of the discovery of the offense.

Prosecution of nonfelonious offenses which constitute malfeasance in office shall commence within two years next after the commission of the offense.

Prosecution of any violation of § 55-79.87, 55-79.88, 55-79.89, 55-79.90, 55-79.93, 55-79.94, 55-79.95, 55-79.103, or any rule adopted under or order issued pursuant to § 55-79.98, shall commence within three years next after the commission of the offense.

Prosecution of illegal sales or purchases of wild birds, wild animals and freshwater fish under § 29.1-553 shall commence within three years after commission of the offense.

Prosecution of violations under Title 58.1 for offenses involving false or fraudulent statements, documents or returns, or for the offense of willfully attempting in any manner to evade or defeat any tax or the payment thereof, or for the offense of willfully failing to pay any tax, or willfully failing to make any return at the time or times required by law or regulations shall commence within three years next after the commission of the offense, unless a longer period is otherwise prescribed.

Prosecution of violations of subsection A or B of § 3.1-796.122 shall commence within five years of the commission of the offense, except violations regarding agricultural animals shall commence within one year of the commission of the offense.

A prosecution for a violation of § 18.2-386.1 shall be commenced within five years of the commission of the offense.

A prosecution for any violation of the Campaign Finance Disclosure Act (§ 24.2-900 et seq.) shall commence within one year of the discovery of the offense but in no case more than three years after the date of the commission of the offense.

A prosecution of a crime that is punishable as a misdemeanor pursuant to the Virginia Computer Crimes Act (§ 18.2-152.1 et seq.) shall be commenced before the earlier of (i) five years after the

commission of the last act in the course of conduct constituting a violation of the article or (ii) one year after the existence of the illegal act and the identity of the offender are discovered by the Commonwealth, by the owner, or by anyone else who is damaged by such violation.

Nothing in this section shall be construed to apply to any person fleeing from justice or concealing himself within or without the Commonwealth to avoid arrest or be construed to limit the time within which any prosecution may be commenced for desertion of a spouse or child or for neglect or refusal or failure to provide for the support and maintenance of a spouse or child.

(Code 1950, § 19.1-8; 1960, c. 366; 1974, c. 466; 1975, c. 495; 1976, cc. 114, 620; 1977, c. 108; 1978, c. 730; 1979, c. 243; 1980, c. 496; 1981, c. 31; 1984, c. 601; 1987, c. 488; 1990, cc. 575, 976; 1992, cc. 177, 435, 650; 1996, c. 484; 1998, c. 566; 1999, c. 620; 2005, cc. 746, 761, 827.)

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**§ 19.2-270.1. Use of photographs as evidence in certain larceny and burglary prosecutions.**

In any prosecution for larceny under the provisions of §§ [18.2-95](#), [18.2-96](#) or § [18.2-98](#), or for shoplifting under the provisions of § [18.2-103](#), or for burglary under the provisions of §§ [18.2-89](#), [18.2-90](#), [18.2-91](#) or § [18.2-92](#), photographs of the goods, merchandise, money or securities alleged to have been taken or converted shall be deemed competent evidence of such goods, merchandise, money or securities and shall be admissible in any proceeding, hearing or trial of the case to the same extent as if such goods, merchandise, money or securities had been introduced as evidence. Such photographs shall bear a written description of the goods, merchandise, money or securities alleged to have been taken or converted, the name of the owner of such goods, merchandise, money or securities and the manner of the identification of same by such owner, or the name of the place wherein the alleged offense occurred, the name of the accused, the name of the arresting or investigating police officer or conservator of the peace, the date of the photograph and the name of the photographer. Such writing shall be made under oath by the arresting or investigating police officer or conservator of the peace, and the photographs identified by the signature of the photographer. Upon the filing of such photograph and writing with the police authority or court holding such goods and merchandise as evidence, such goods or merchandise shall be returned to their owner, or the proprietor or manager of the store or establishment wherein the alleged offense occurred.

(1976, c. 577; 1985, c. 184; 1987, c. 493; 1995, c. 447.)



## II. INSTRUCTIONS FOR STEPS TO HANDLE PROPERTY

### A. Consider Legal Authority:

1. Prior to taking possession of property, officers must consider the legal authority under which they do so. Whether pursuant to a search warrant, a plain view seizure, stop and frisk seizure, or abandoned property, officers should remain aware of their legal framework.
2. The Property Officer must have a good working knowledge of state, city, and federal laws governing the handling and disposition of property under control of the Department.

### B. Consider Alternatives to Taking Custody:

1. With the exception of controlled substances or paraphernalia, all property need not be seized and stored by the Department. Certain evidentiary property may be photographed and released to its rightful owner on-scene; other property may be appropriately disposed of or destroyed on-site and some property may be relinquished to a rightful owner prior to submission to the Property Section.
2. Use of photographs as evidence in certain larceny and burglary prosecutions is authorized per Code of Virginia, Section 19.2-270.1 (Attachment "A"). This statute should be used whenever possible toward the goals of making expedient return of property to a rightful owner and of conserving space in the Property Section.
3. Labels bearing the provisions of 19.2-270.1 are kept in the Processing Room to aid officers in marking evidentiary photographs for later identification.
4. Large seizures of alcohol pose a particular storage problem and containers occasionally leak. Officers should consider the use of photographs in lieu of large scale confiscation, and if needed for evidence, taking an air tight representative sample for court.
5. If alcohol or contraband, except controlled substances or paraphernalia, which is not needed as evidence, can be safely and effectively destroyed by the person possessing same, this method is preferred over storage in the Property Section when no criminal charges are involved. When charges are involved, photographs and a representative sample may be taken as outlined in II.B.3 above with the remaining items being disposed of rather than stored in the Property Section.
6. All controlled substances and paraphernalia must be placed in the Property Section and processed in accordance with General Order 4-23, Narcotics.

Attachment G

**§ 4.1-353. Label on sealed container prima facie evidence of alcoholic content.**

In any prosecution for violations of this title, where a sealed container is labeled as containing an alcoholic beverage as defined herein, such labeling shall be prima facie evidence of the alcoholic content of the container. Nothing shall preclude the introduction of other relevant evidence to establish the alcoholic content of a container, whether sealed or not.

(1962, c. 616, § 4-90.1; 1993, cc. 169, 866; 1997, c. 418.)