

***Please note: This is a working draft of Directive 660.10. This is proposed language and the Bureau has not implemented any changes to the current policy at this time.**

660.10, Property and Evidence Procedures

2nd Universal Review: 6/1/18 - 7/1/18 (clean markup)

Refer:

- ORS§ 133.033 Peace Officer; Community Caretaking Functions
- ORS§ 475.235 Presumptive Testing of Controlled Substances
- DIR 640.13 Drug Lab Procedures
- DIR 640.20 Sexual Assault Investigations
- DIR 740.00 Explosive Device Incidents and EDU
- DIR 1020.00 Weapons Administration
- Oregon State Police (OSP) Forensic Sciences Request (FSR) Form (Form 49)
- Portland Police Bureau (PPB) Property and Evidence Division (PED) Evidence Transfer Form
- PPB Forensic Processing Request Form
- PPB PED Officer Disposition Report/Trace Form
- PPB PED Order for Property Release Form
- PPB PED Property/Evidence Receipt
- PPB PED Officer Packaging Manual
- PPB PED SOP #4 Firearms – Receive, Store, Transfer/Release, Dispose
- PPB PED SOP #8 Restricted Weapons
- PPB PED SOP #14 Property/Evidence Disposal

Definitions:

- Evidence: An article(s) taken into police custody that may furnish proof that an offense has been committed and/or certain person(s) committed an offense, or an article(s) taken into police custody that would tend to show a person(s) did not commit a crime.
- Found property: An article(s) accepted into police custody that has been lost or abandoned and not connected with a known or suspected criminal offense.
- Prisoner's property: Personal property belonging to an arrested suspect that is not needed as evidence.
- Safekeeping Property: An article(s) that is voluntarily relinquished to police custody or taken to prevent serious harm to any person or property under the provisions of ORS§ 133.033, Peace Officer; Community Caretaking Functions.
- Satellite Property Room: An area at designated Police Bureau sites set aside for the temporary storage of evidence and property.

Policy:

1. This directive establishes standardized procedures for seizing and storing evidence and/or property in accordance with Property and Evidence Division (PED) practices. Additionally, this directive mandates procedures for requests concerning the testing, transfer, and release of evidence or property.

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Procedure:

1. Receiving Property and Evidence.

- 1.1. Any member who takes possession of property and/or evidence will complete a PED Property/Evidence Receipt (“PED receipt”).
- 1.2. Members will provide the following required information in the appropriate spaces on the form:
 - 1.2.1. Date and time.
 - 1.2.2. Case number.
 - 1.2.3. Type of property.
 - 1.2.4. Type of incident.
 - 1.2.5. Delivering member’s name and DPSST number (ID#).
 - 1.2.6. Investigating member’s name and identification (if applicable).
 - 1.2.7. For prisoner’s property:
 - 1.2.7.1. Defendant or suspect’s name (owner).
 - 1.2.7.2. Owner’s address and zip code, when known.
 - 1.2.8. For found and safekeeping property:
 - 1.2.8.1. Owner’s name.
 - 1.2.8.2. Owner’s address and zip code, when known.
 - 1.2.8.3. If the owner is unknown, members will write “unknown” in the Owner field.
 - 1.2.8.4. When found property is received from a finder, the finder’s name will be placed in the space marked “Property Taken From” and the member will issue the finder the yellow copy of the PED receipt.
 - 1.2.9. A full description of each item submitted, including serial numbers, if applicable.
 - 1.2.9.1. Firearms require documentation of the serial number, make, type, model, caliber, importer and country of origin.
 - 1.2.9.2. For currency, the exact dollar and cents amount recovered and the country of origin of the currency. Members are not required to document serial numbers for recovered currency.
 - 1.2.10. Delivery destination (e.g., Property Evidence Division, Oregon State Police (OSP) Crime Lab, Forensic Evidence Division [FED], or if “other”, members must describe). Members must include the locker location and number on the receipt.
- 1.3. Members will handle copies of the PED receipt as follows:
 - 1.3.1. White copy will be forwarded to the Records Division (Records).
 - 1.3.2. Yellow copy will be given to the person the property or evidence was taken from. If the person whose property was impounded is not available, the member will leave the yellow copy at the scene where the property was found.
 - 1.3.3. Pink copy will accompany the property/evidence.
 - 1.3.3.1. When delivering items to the satellite property rooms, members will leave the pink copy of the PED receipt in the designated tray.
 - 1.3.3.2. If property is released at the scene, members will make an appropriate notation on the receipt and forward the pink copy to PED.
 - 1.3.3.3. Members will use separate receipts and separate packaging for items that are delivered to different locations.

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1.3.3.4. Members will forward all copies of voided receipts to PED.

2. Identifying Property and Evidence.

- 2.1. Members must complete and attach a property tag or evidence tag to items that are not packaged in evidence bags.
- 2.2. Members will write identifying information on the evidence bag/tag to include: property evidence receipt number, date, PPB case number, delivering member's name and DPSST number, and content description.

3. Delivering Property and Evidence.

- 3.1. Members will deliver property/evidence to PED, a satellite property room, FED, the Gun Task Force (GTF), or the Oregon State Crime Lab prior to the end of their shift.
- 3.2. Members will deliver all semi-automatic pistols; semi-automatic rifles in .22LR, 7.62x39, and .223; and any semi-automatic rifle that fires a handgun round to GTF for test firing and Integrated Ballistics Identification System (IBIS) analysis prior to delivery to PED and/or FED. Once test firing and IBIS analysis are completed, GTF personnel will submit the firearm to PED and/or FED.
- 3.3. In emergent situations, property/evidence may need to be delivered to another location for investigative purposes; however, members must receive approval from their supervisor prior to delivery. Members will notify PED of the location of the evidence via email at property.evidence@portlandoregon.gov as soon as practical.
- 3.4. Members who deliver evidence to a satellite property room will store items in a locked locker when possible.
- 3.5. Evidence requiring fingerprinting will be delivered to the FED property drop-off room located in the Justice Center or to any satellite PPB property room. Evidence delivered to a satellite property room will be delivered to FED by PED personnel. Members will provide a completed Forensics Processing Request Form along with the pink copy of the property receipt to accompany the evidence. The Forensics Processing Request Form must be affixed to the front of the FED Incoming Evidence Locker where the evidence is placed. If DNA testing is also requested, members must complete an OSP Forensics Sciences Request (FSR) Form and attach it to the evidence.
 - 3.5.1. The packaging in which drugs, drug paraphernalia, and money are recovered may be fingerprinted but the content of the packages themselves may not be delivered to FED. If the packaging requires fingerprinting, all package contents (e.g., money, drugs) must be removed and placed in a separate evidence bag before members deliver the packaging evidence for fingerprinting. Contents placed in a separate evidence bag must have a separate PED receipt with a notation referencing the transfer of the wrapping/container to another PED receipt.
 - 3.5.1.1. When contents of a bag are repackaged in a separate bag, the name of the person removing the original contents and repackaging the original content into new bags must be noted on a tag placed both on the original packaging

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and the repackaging. This tag also must include the date of the repackaging and the associated case number that matches the tag on the original packaging.

- 3.5.2. The packaging for Fentanyl or Fentanyl-related items will only be accepted by FED if delivered by a sworn Drugs and Vice Division (DVD) member.
- 3.6. Evidence requiring crime lab analysis may be delivered as follows:
 - 3.6.1. For narcotics, members shall refer to Section 4, Processing Controlled Substances.
 - 3.6.2. All other evidence:
 - 3.6.2.1. Members may deliver evidence directly to PED during business hours or to any satellite property room locker at any time. Members will include a completed FSR Form and the pink copy of the PED receipt. Members who request DNA analysis must provide an appropriate police report. PED will transfer the evidence to the crime lab; or
 - 3.6.2.2. Members may deliver evidence directly to the crime lab during the lab's business hours with a completed FSR Form and the pink copy of the PED receipt.
 - 3.6.2.3. Blood and urine samples must either be left in a refrigerator at a satellite property room or delivered to PED during business hours.
 - 3.6.3. Members shall refer to the PED Officer Packaging Manual for packaging instructions.
- 3.7. Members will initiate a PED call-out through the Bureau of Emergency Communications (BOEC) to notify PED staff during non-business hours for the following: property/evidence valued at over \$25,000; currency exceeding \$10,000; item(s) too large for a PED van; unusually large quantities of items; extremely heavy items; or samples of meth lab chemicals processed by DVD. The delivering member is responsible for transporting the property/evidence to PED.
4. **Processing Controlled Substances.**
 - 4.1. Members will package narcotics in accordance with the PED Officer Packaging Manual.
 - 4.2. Members will deliver narcotics based on their street value:
 - 4.2.1. Up to \$25,000 may be delivered to a drop safe or secure locker at any satellite property room or to PED.
 - 4.2.2. Over \$25,000 must be delivered directly to PED. After business hours, members will initiate a call-out for PED staff via BOEC. If this amount requires crime lab testing, the delivering member will be required to return to PED during business hours to transport the narcotics to the crime lab.
 - 4.3. If narcotics need to be tested, members should conduct a presumptive test and submit a completed FSR Form to PED. Items will be delivered to the lab once PED receives approval from the appropriate District Attorney's Office (DA).

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- 4.4. Narcotics that have been seized as evidence as part of an Investigative/Reliability Buy operation, or as part of a case that is being prosecuted in federal court, must have the phrase “investigative buy” or “for federal prosecution” written on the property receipt. The investigating member will fill out an FSR Form and submit it to PED. DA approval is not required for these items.
- 4.5. Members may contact PED or the OSP Lab for information on current narcotics testing procedures.

5. Processing Marijuana Grow Operations.

- 5.1. The DVD is responsible for processing marijuana and related items associated with illegal grow operations. Members discovering illegal marijuana grow operations during DVD business hours will request a DVD team to respond. After business hours, BOEC will contact the on-call DVD sergeant upon request. Members will include the name of the DVD supervisor contacted on the PED receipt and document the action in their report.

6. Processing Money.

- 6.1. When feasible, members will photograph seized evidence money in amounts equal to or greater than \$100 at the scene where the money was discovered in order to document where, how, and in what condition the money was seized. If the photograph is not taken at the scene, members may photograph the money at a later time in a manner that shows the currency displayed or stacked with the original packaging. Members will upload photos to the Digital Image Management System (DIMS) in accordance with Directive 640.02, Photography and Digital Imaging. PED will not take photos of the seized money.
- 6.2. Money will be counted together by two members. The names of the two members will be annotated in the appropriate report.
- 6.3. Members will document the number of bills and/or coins of each denomination on the PED receipt along with the total amount.
- 6.4. Members may leave currency up to \$10,000 in a drop safe at any satellite property room or deliver it directly to PED. Currency in amounts greater than \$10,000 must be brought to PED. During non-business hours, members will initiate a call-out for PED staff via BOEC.
- 6.5. PED will perform a separate count of money greater than \$100. PED will document any discrepancy in an appropriate report. A copy of the report will be sent to the delivering officer and the investigating member.
- 6.6. Members will ensure case envelopes involving money evidence are stamped with “Money Seizure” in red ink.
- 6.7. Evidence money received at PED in amounts equal to or greater than \$100 may be deposited into an Evidence Money bank account after 60 days of storage unless the

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DA's Office, the case officer, or a detective directs PED to retain the physical currency for prosecution or investigative purposes. A requester seeking retention may contact PED who will then send a confirmation back to the individual or agency.

7. Processing Firearms.

- 7.1. Members will ensure that firearms are unloaded and rendered safe for handling. If a firearm cannot be made safe by unloading and securing the action/cylinder open, or if there is any question as to whether the firearm is loaded, the member will attach a red "Unsafe Firearm" tag to both the firearm and to the outside of the locker in which the firearm is placed.
- 7.2. Members shall refer to the PED Officer Packaging Manual for instructions on packaging firearms and ammunition.
 - 7.2.1. Members shall deliver all semi-automatic pistols, semi-automatic rifles in .22 LR, 7.62x39, and .223,; and any semi-automatic rifle that fires a handgun round directly to the Gun Task Force (GTF) for IBIS processing and, if necessary, DNA swab processing.
 - 7.2.2. Firearms that are accepted for IBIS processing, which require fingerprinting and/or photographing will be delivered to the GTF prior to any other destination.
 - 7.2.2.1. Only firearms submitted as evidence, found property, and for destruction are eligible for IBIS processing. Firearms submitted as safekeeping and prisoner property are not eligible for IBIS processing.
 - 7.2.2.2. All other firearms requiring fingerprinting and/or photographing will be delivered directly to PED or FED.
 - 7.2.3. Any firearm not requiring IBIS or FED processing will be delivered directly to PED or any satellite property room locker.
- 7.3. PPB members should be aware that members of the public may surrender a dangerous or deadly weapon for destruction to any on-duty sworn member at any precinct. Members will conduct the following at the time of surrender:
 - 7.3.1. Members must obtain the name and address of the owner or the person surrendering the weapon, as well as pertinent information related to the weapon (i.e., serial number, make, model, caliber, importer and country of origin) from the person surrendering the weapon.
 - 7.3.2. Members must ensure a declaration from the individual is annotated on a property receipt. The declaration should include the statement: "I, [person surrendering property], voluntarily surrender this [weapon name] for destruction with the understanding that I knowingly forfeit any claim to the weapon."
 - 7.3.3. Members will provide the person surrendering the weapon a signed copy of the property receipt.
 - 7.3.4. Members shall deliver any surrendered for destruction semi-automatic pistols; semi-automatic rifles in .22 LR, 7.52x39, and .223; and any semi-automatic rifle that fires a handgun round directly to the GTF for IBIS processing. GTF personnel will process the firearm through PED once IBIS processing is complete.

8. Processing for Integrated Ballistics Identification System (IBIS) Classification.

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- 8.1. Members shall submit any firearms that are seized as evidence, found and surrendered for destruction, under the following eligibility categories, to the GTF for IBIS processing:
 - 8.1.1. Semi-automatic pistols.
 - 8.1.2. Semi-automatic rifles in .22 LR, 7.62x39, .223 and any semi-automatic rifle that fires a handgun round.
- 8.2. Members may also submit ALL spent casings that have been fired from any of the firearms listed in Section 8.1.2. to the GTF for IBIS processing.
- 8.3. When submitting casings or firearms, members must complete an FSR Form to the OSP crime lab for IBIS classification and leave the form with the evidence at the GTF; however, members should be aware that some firearms and caliber do not qualify for IBIS entry. Members may contact the GTF, PED, or the OSP Crime Lab with any questions about IBIS processing.
- 8.4. Members will deliver firearms listed in Section 8.1.2. and all spent casing directly to the GTF during regular business hours or the secured drop box at the GTF after-hours. In urgent situations, supervisors will initiate a call-out of GTF personnel through BOEC.
- 8.5. Members may deliver all other firearms to PED during business hours or to a satellite property room locker.
9. **Processing Weapons Other than Firearms.**
 - 9.1. Members will package these weapons in accordance with the PED Officer Packaging Manual.
 - 9.2. Members shall refer to Section 7.3. for information regarding surrendering weapons for destruction.
10. **Processing Alcohol.**
 - 10.1. Members who take possession of alcohol are encouraged to photograph and then release or dispose of the property unless it contains forensic evidence. Members will upload photographs to DIMS in accordance with Directive 640.02, Photography and Digital Imaging.
11. **Processing Hazardous Items.**
 - 11.1. With the exception of evidence samples collected by DVD at scenes of illegal drug labs, hazardous or noxious materials will not be accepted by or stored in any PED facility due to the health risk posed by exposure. Members shall refer to Directive 640.13, Drug Lab Procedure, for additional guidelines. Members encountering hazardous or noxious materials that are not part of an illegal drug lab will contact BOEC, which will then notify the Portland Fire Bureau Hazardous Materials Team (HazMat).

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- 11.2. DVD personnel will package lab samples in accordance with the PED Officer Packaging Manual.
 - 11.2.1. DVD personnel will issue PED receipts and complete an FSR Form for all samples taken. Members will deliver samples and forms to the crime lab during business hours or to PED during non-business hours using the call-out procedure.
 - 11.2.2. Members shall deliver contaminated firearms (e.g., exposed to drug lab chemicals) from scenes of illegal drugs labs to a PED facility. All other contaminated articles, including paperwork, will not be accepted or stored at a PED facility.
 - 11.2.3. Members will not transport contaminated articles, excluding contaminated firearms, from scenes of illegal drug labs in any Bureau vehicle.
 - 11.2.4. Contaminated firearms will not be available for further investigation or viewing purposes unless handled by DVD personnel wearing the same level of protective gear that was worn during the initial processing.
- 11.3. Items that have been contaminated with blood or other body fluids are considered bio-hazardous; members will package these items in accordance with the PED Officer Packaging Manual.
 - 11.3.1. Members must deliver items that are wet with blood or other body fluids directly to PED during business hours or to the biohazard shed at the Rivergate Vehicle Storage Facility (RVS) after business hours. Members will leave the pink copy of the PED receipt at RVS. Members will not leave bio-hazardous items at any other property/evidence facility.
 - 11.3.2. Members may deliver items contaminated with blood or other body fluids that are dry to PED or any satellite property room locker.
- 11.4. Syringes present a serious health risk and must be handled with extreme care; members will discard all syringes except those that are essential for prosecution purposes.
 - 11.4.1. Members will discard unnecessary syringes into approved sharps containers only.
 - 11.4.2. Members will not deliver syringes or parts of syringes to the crime lab unless authorized by the Deputy District Attorney (DDA) in advance.
 - 11.4.3. Members will place syringes being submitted as evidence to the crime lab or PED inside plastic syringe holders. The crime lab and PED will only accept syringes packaged in plastic syringe holders.
- 11.5. Explosives, bomb-making materials, ammunition .50 caliber or larger and commercial size fireworks will not be accepted or stored at any PED facility. Members shall refer to DIR 740.00, Explosive Device Incidents and Explosive Device Unit (EDU), for additional guidance.
- 11.6. Illegal fireworks that fill less than a regular-sized paper grocery sack may be placed in any PED facility.
 - 11.6.1. Members will place larger quantities in the orange wooden box adjacent to the bomb room on L-1 in the Justice Center. If that box is full, members will contact EDU via the Dispatch Coordinator (DC) for disposition instructions. Members will forward the pink copy of the PED receipt to PED.

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- 11.6.2. Members may place less than a dozen M-80 size devices in any property/evidence facility. Larger quantities and any device more powerful require special handling. Members must contact EDU via the DC for disposition instructions.
- 11.6.3. Improvised, homemade, or modified fireworks will not be accepted or stored in any property/evidence facility. Members must contact EDU via the DC for disposition instructions.
- 11.7. Gasoline will not be accepted or stored at any property/evidence facility.
 - 11.7.1. Members must ensure fuel containers and small engines with gas tanks (e.g., lawn mowers, chain saws, generators) are emptied prior to delivery. Members may utilize equipment located at RVS to remove fuel from such items.
 - 11.7.2. Members will deliver fuel containers and small engines with empty gas tanks to any property/evidence facility. Members will not leave these items at RVS.
 - 11.7.3. If the fuel is required as evidence, members will place a sample of it into a sealed vial or jar and process it for the crime lab using a separate PED receipt and FSR Form. The remainder of the fuel will be disposed of as outlined above.
- 11.8. Propane tanks and canisters may be left at any property/evidence facility.
- 11.9. Members will package deployed Conducted Electrical Weapon (CEW) probes in accordance with the PED Officer Packaging Manual.
- 12. Processing Sexual Assault Evidence.**
 - 12.1. Members will not leave items other than the Sexual Assault Evidence Kit and the victim's undergarments and/or pantyhose in the OHSU locker. Members shall refer to Directive 640.20, Sexual Assault Investigations, for additional guidelines.
 - 12.2. Members will refer to the PED Officer Packaging Manual for specific instructions on documenting and packaging sexual assault evidence.
- 13. Processing Found Property.**
 - 13.1. Members are encouraged to determine ownership of found property and return it, if time and circumstances permit. Identified owners' names will be written on the PED receipt. Members who return property directly to the owner will mark the PED receipt with the words "Returned to Owner" and have the recipient sign the face of the receipt. Members will forward the pink copy to PED.
 - 13.2. Members should inform individuals who want to make a finder's claim for found property to contact PED within five days.
 - 13.3. Members shall write "Finder's Claim" boldly across the face of the PED receipt to avoid unintentional disposal of the property.
 - 13.4. Members may deliver found property to any property/evidence facility, unless the property contains noxious or hazardous materials.
- 14. Processing Safekeeping Property.**

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- 14.1. When property is obtained for safekeeping purposes, the member will leave the yellow copy of the PED receipt with the person from whom the property was obtained.
- 14.2. Members will inform individuals who want to turn in weapons for safekeeping that policy does not permit PED to be used as a storage facility and weapons may be destroyed after 60 days if they are not retrieved. Members may suggest to individuals the use of commercially-available storage lockers.
- 14.3. Safekeeping property will be released to the named owner upon demand after the property has been received at PED, which is usually one working day after turn-in.
- 14.4. Members may deliver safekeeping property to any property/evidence facility, unless the property contains noxious or hazardous materials.

15. Processing Prisoner's Property.

- 15.1. Members must provide the yellow copy of the PED receipt to the arrested subject prior to incarceration, as this is the only notification the arrested subject will receive. Members should inform an arrested subject that the receipt must be maintained on their person or with their personal property kept at the jail, as appropriate. Members shall, when practical, advise arrested subjects that their personal property must be claimed within 60 days or it will be disposed. Members will document the delivery or provision of the yellow copy in the appropriate report.
- 15.2. Members may deliver a prisoner's property to any property/evidence facility. The prisoner's property will be released to the named defendant/subject upon demand after the property has been received at PED, which is usually one working day after turn-in.

16. Processing Interview Recordings.

- 16.1. Investigators electronically record interviews for a variety of purposes as required by Oregon Law, in situations consistent with division or bureau policies, or at the discretion of the investigator.
 - 16.1.1. In situations where interviews are electronically recorded, investigators are required to make an original copy of the interview as soon as practicable on an external media (e.g., CD disc, thumb drive). The investigators shall submit this original copy with a property receipt to PED.
 - 16.1.2. PED shall retain the original copy and will use it to make additional copies, as necessary.
 - 16.1.2.1. To preserve chain of custody, any time PED makes a copy of an electronic record, the PED staff member making the copy will note on the property evidence tag the date the original media is opened and identify themselves as the person opening same, and will again note their identity and the date the original media is resealed in the original packaging when the copy is complete.
 - 16.1.3. PED may purge the original copy of the interview pursuant to PED SOPs and with the permission of the investigator, the District Attorney's Office or a court of law.

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17. Processing Digital Evidence.

- 17.1. Digital evidence on an electronic device (e.g., laptops, smart devices) shall be processed by the Digital Forensics Unit (DFU) located in the Justice Center. Once the appropriate digital evidence is extracted from the device and copied onto an external media, a member shall forward a copy with a property receipt to PED.
- 17.2. PED may purge the copy pursuant to PED SOPs and with the permission of the investigator, the District Attorney's Office or a court of law.

18. Checking Out Evidence.

- 18.1. When feasible, members intending to check out evidence should inform PED in advance to avoid delays.
- 18.2. Members will maintain the chain of custody by signing for the items from PED.
- 18.3. If the possibility exists that a member may turn over custody of the evidence to the court, a prosecutor, another agency, or another member, PED will provide the member with an Evidence Transfer Form to be used to maintain the chain of custody. The member will obtain the signature of the person to whom custody was relinquished and ensure that the signed copy is returned to PED. Members must return either a signed Evidence Transfer Form or the checked-out evidence within 10 business days.
- 18.4. Upon the check-in of evidence, PED will maintain the chain of custody by obtaining the delivering member's signature. If the member returns the evidence via a satellite property room, the member will sign and date the Evidence Transfer Form indicating when and in which locker the evidence was left.

19. Transferring Evidence.

- 19.1. Members may request that evidence be transferred to the crime lab for analysis by submitting a completed FSR Form to PED.
- 19.2. Members may request that evidence be transferred to FED for processing by submitting a completed Forensics Processing Request Form to PED.
- 19.3. Any other requests for transfer of evidence must be in writing and signed by a sworn member.

20. Releasing Property and Evidence.

- 20.1. It is the responsibility of PED to establish the owner's identity prior to releasing any property or evidence. PED may release the following property upon demand, generally within one business day after turn-in, after they have received it: found property belonging to an undisputed owner, safekeeping property for a named owner, and prisoner property for a named defendant/subject.
- 20.2. In cases where ownership is unknown or in dispute, PED will refer inquiring persons to the delivering member to obtain written authorization to claim the property. If a

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member is unable to determine ownership due to conflicting claims, the member will contact the City Attorney's Office for instructions.

- 20.3. Evidence will be released to an owner when the item(s) is no longer needed as evidence and has been released by a sworn member, a court, or the DA's Office. Sworn members authorizing the release of evidence will notify PED in writing.
- 20.4. When address information is available, PED will attempt to notify property owners in writing of the availability of found, safekeeping, and releasable evidence items. Unclaimed property will be eligible for disposal after 60 days.
- 20.5. Firearms and restricted weapons will be released in accordance with the above procedures (Section 19.1. through 19.4.) and PED SOPs 4 and 8.
- 20.6. Money may be released by PED as cash. Money that has already been deposited will be released via check.
- 20.7. Although the Multnomah County District Attorney's Office (MCDA) encourages the pretrial release of property to victims whenever possible, members should consult with the appropriate DA prior to releasing property that may be evidence or authorizing PED to release property that may be evidence.

21. Disposition of Property and Evidence.

- 21.1. PED will dispose of unclaimed, found, safekeeping and prisoner's property after 60 days of storage or after 60 days from the date of notice to the owner.
- 21.2. Unclaimed evidence will be authorized for release by a sworn member, a court, or the DA's Office. Evidence items that are not retrieved within 60 days from the date of notice to the owner are subject to disposal. If the owner is unknown or cannot be located, or the items are contraband, the items will be eligible for immediate disposal after PED receives authorization from a sworn member, a court, or the DA's Office.
- 21.3. PED will dispose of firearms and restricted weapons that are not claimed. All unclaimed ammunition will be removed from PED and destroyed by EDU.
 - 21.3.1. Firearms suitable for use by the Bureau may be transferred to the Training Division armory inventory with the approval of the Chief of Police.
 - 21.3.2. When Bureau-owned firearms no longer meet Bureau requirements or serve Bureau purposes, the Training Division may document the firearms on an inventory sheet, including serial numbers, and turn them over to PED for disposal.
 - 21.3.3. Officially-recognized historical societies may apply for and, subject to approval by the Chief of Police and the City Council, arrange for the transfer of weapons with historical significance.

PED will send Officer Disposition Reports and Trace forms to members for evaluation of further retention and disposition of evidence either electronically or through inter-office mail. Generally, members should notify PED to dispose of evidence whenever a member

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determines that it is no longer needed as evidence; however, upon receipt of an Officer Disposition Report, members will indicate the appropriate disposition of the evidence and return the form or electronic notification to PED within 30 days.

Provide feedback [here](#).

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660.10, Property and Evidence Procedures

2nd Universal Review: 6/1/18-7/1/18 (redline markup)

Refer:

- ORS§ 133.033 Peace Officer; Community Caretaking Functions
- ORS§ 475.235 Presumptive Testing of Controlled Substances
- DIR 640.13 Drug Lab Procedures
- DIR 640.20 Sexual Assault Investigations
- DIR 740.00 Explosive Device Incidents and EDU
- ~~DIR 761.00 Hazardous Materials Incidents~~
- DIR 1020.00 Weapons Administration
- ~~Portland Police Bureau (PPB) Property and Evidence Division (PED) Evidence Transfer Form (PED)~~
- Oregon State Police (OSP) Forensic Sciences Request (FSR) Form (Form 49)
- Portland Police Bureau (PPB) Property and Evidence Division (PED) Evidence Transfer Form
- ~~Portland Police Bureau (PPB) Forensic Processing Request Form~~
- PPB PED Officer Disposition Report/Trace Form ~~(PED)~~
- PPB PED Order for Property Release Form ~~(PED)~~
- PPB PED Property/Evidence Receipt ~~(PED)~~
- PPB PED Officer Packaging Manual
- PPB PED SOP #4 Firearms – Receive, Store, Transfer/Release, Dispose
- PPB PED SOP #8 Restricted Weapons
- PPB PED SOP #14 Property/Evidence Disposal

Definitions:

- Evidence: An article(s) taken into police custody that may furnish proof that an offense has been committed and/or certain person(s) committed an offense, or an article(s) taken into police custody that would tend to show a person(s) did not commit a crime.
- Found property: An article(s) accepted into police custody that has been lost or abandoned and not connected with a known or suspected criminal offense.
- Prisoner's property: Personal property belonging to an arrested suspect that is not needed as evidence.
- Safekeeping Property: An article(s) that is voluntarily relinquished to police custody or taken to prevent serious harm to any person or property under the provisions of ORS§ 133.033, Peace Officer; Community Caretaking Functions.
- Satellite Property Room: An area at designated Police Bureau sites set aside for the temporary storage of evidence and property.

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- ~~● Safekeeping Property: An article(s) that is voluntarily relinquished to police custody or taken to prevent serious harm to any person or property under the provisions of ORS§ 133.033, Peace Officer; Community Caretaking Functions.~~

Policy:

1. This directive establishes standardized procedures for seizing and storing evidence and/or property in accordance with Property and Evidence Division (PED) practices. Additionally, this directive mandates procedures for requests concerning the testing, transfer, and release of evidence or property.

Procedure:

1. Receipting Property and Evidence.

- 1.1. Any member who takes possession of property and/or evidence will complete a PED Property/Evidence Receipt (“PED receipt”).
- 1.2. Members will provide the following required information in the appropriate spaces on the form:
 - 1.2.1. Date and time.
 - 1.2.2. Case number.
 - 1.2.3. Type of property.
 - 1.2.4. Type of incident.
 - 1.2.5. Delivering member’s name and DPSST number (ID#).
 - 1.2.6. Investigating member’s name and identification (if applicable).
 - 1.2.7. For prisoner’s property:
 - 1.2.7.1. Defendant or suspect’s name (owner).
 - 1.2.7.2. Owner’s address and zip code, when known.
 - 1.2.8. For found and safekeeping property:
 - 1.2.8.1. Owner’s name.
 - 1.2.8.2. Owner’s address and zip code, when known.
 - 1.2.8.3. If the owner is unknown, members will write “unknown” in the Owner field.
 - 1.2.8.4. When found property is received from a finder, the finder’s name will be placed in the space marked “Property Taken From” and the member will issue the finder the yellow copy of the PED receipt.
 - 1.2.9. A full description of each item submitted, including serial numbers, if applicable.
 - 1.2.9.1. Firearms require documentation of the serial number, make, type, model, caliber, importer and country of origin.
 - 1.2.9.2. For currency, the exact dollar and cents amount recovered and the country of origin of the currency. Members are not required to document serial numbers for recovered currency.
 - 1.2.10. Delivery destination (e.g., Property Evidence Division, Oregon State Police (OSP) Crime Lab, Forensic Evidence Division [FED], or if “other”, members must describe). Members must include the locker location and number on the receipt.
- 1.3. Members will handle copies of the PED receipt as follows:
 - 1.3.1. White copy will be forwarded to the Records Division (Records).

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- 1.3.2. Yellow copy will be given to the person the property or evidence was taken from. If the person whose property was impounded is not available, the member will leave the yellow copy at the scene where the property was found.
- 1.3.3. Pink copy will accompany the property/evidence.
 - 1.3.3.1. When delivering items to the satellite property rooms, members will leave the pink copy of the PED receipt in the designated tray.
 - 1.3.3.2. If property is released at the scene, members will make an appropriate notation on the receipt and forward the pink copy to PED.
 - 1.3.3.3. Members will use separate receipts and separate packaging for items that are delivered to different locations.
 - 1.3.3.4. Members will forward all copies of voided receipts to PED.

2. Identifying Property and Evidence.

- 2.1. Members must complete and attach a property tag or evidence tag to items that are not packaged in evidence bags.
- 2.2. Members will write identifying information on the evidence bag/tag to include: property evidence receipt number, date, PPB case number, delivering member's name and DPSST number, and content description.

3. Delivering Property and Evidence.

- 3.1. Members will deliver property/evidence to PED, a satellite property room, ~~the Forensic Evidence Division~~FED, ~~the Gun Task Force (GTF)~~, or the Oregon State Crime Lab prior to the end of their shift.

3.2. Members will deliver all semi-automatic pistols; semi-automatic rifles in .22LR, 7.62x39, and .223; and any semi-automatic rifle that fires a handgun round to GTF for test firing and Integrated Ballistics Identification System (IBIS) analysis prior to delivery to PED and/or FED. Once test firing and IBIS analysis are completed, GTF personnel will submit the firearm to PED and/or FED.

~~3.2.3.3.~~ In emergent situations, property/evidence may need to be delivered to another location for investigative purposes; however, members must receive approval from their supervisor prior to delivery. Members will notify PED of the location of the evidence via email at property.evidence@portlandoregon.gov as soon as practical.

~~3.3.3.4.~~ Members who deliver evidence to a satellite property room will store items in a locked locker when possible.

~~3.4.3.5.~~ Evidence requiring fingerprinting will be delivered to the ~~Forensic Evidence Division~~ (FED) property drop-off room located in the Justice Center or to any satellite PPB property room. Evidence delivered to a satellite property room will be delivered to FED by PED personnel. Members will provide a completed Forensics Processing Request Form along with the pink copy of the property receipt to accompany the evidence. The Forensics Processing Request Form must be affixed to the front of the FED Incoming Evidence Locker where the evidence is placed. If DNA testing is also

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requested, members must complete an OSP Forensics Sciences Request (FSR) Form and attach it to the evidence.

~~3.4.1.3.5.1.~~ The packaging in which drugs, drug paraphernalia, and money are recovered may be fingerprinted but the content of the packages themselves may not be delivered to FED. If the packaging requires fingerprinting, all package contents (e.g., money, drugs) must be removed and placed in a separate evidence bag before members deliver the packaging evidence for fingerprinting. Contents placed in a separate evidence bag must have a separate PED receipt with a notation referencing the transfer of the wrapping/container to another PED receipt.

~~3.4.1.1.3.5.1.1.~~ When contents of a bag are repackaged in a separate bag, the name of the person removing the original contents and repackaging the original content into new bags must be noted on a tag placed both on the original packaging and the repackaging. This tag also must include the date of the repackaging and the associated case number that matches the tag on the original packaging.

~~3.4.2.3.5.2.~~ The packaging for Fentanyl or Fentanyl-related items will only be accepted by FED if delivered by a sworn Drugs and Vice Division (DVD) member.

~~3.5.3.6.~~ Evidence requiring crime lab analysis may be delivered as follows:

~~3.5.1.3.6.1.~~ For narcotics, members shall refer to Section 4, Processing Controlled Substances.

~~3.5.2.3.6.2.~~ All other evidence:

~~3.5.2.1.3.6.2.1.~~ Members may deliver evidence directly to PED during business hours or to any satellite property room locker at any time. Members will include a completed FSR Form and the pink copy of the PED receipt. Members who request DNA analysis must provide an appropriate police report. PED will transfer the evidence to the crime lab; or

~~3.5.2.2.3.6.2.2.~~ Members may deliver evidence directly to the crime lab during the lab's business hours with a completed FSR Form and the pink copy of the PED receipt.

~~3.5.2.3.3.6.2.3.~~ Blood and urine samples must either be left in a refrigerator at a satellite property room or delivered to PED during business hours.

~~3.5.3.3.6.3.~~ Members shall refer to the PED Officer Packaging Manual for packaging instructions.

~~3.6.3.7.~~ Members will initiate a PED call-out through the Bureau of Emergency Communications (BOEC) to notify PED staff during non-business hours for the following: property/evidence valued at over \$25,000; currency exceeding \$10,000; item(s) too large for a PED van; unusually large quantities of items; extremely heavy items; or samples of meth lab chemicals processed by DVD. The delivering member is responsible for transporting the property/evidence to PED.

4. Processing Controlled Substances.

4.1. Members will package narcotics in accordance with the PED Officer Packaging Manual.

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- 4.2. Members will deliver narcotics based on their street value:
 - 4.2.1. Up to \$25,000 may be delivered to a drop safe or secure locker at any satellite property room or to PED.
 - 4.2.2. Over \$25,000 must be delivered directly to PED. After business hours, members will initiate a call-out for PED staff via BOEC. If this amount requires crime lab testing, the delivering member will be required to return to PED during business hours to transport the narcotics to the crime lab.
- 4.3. If narcotics need to be tested, members should conduct a presumptive test and submit a completed FSR Form to PED. Items will be delivered to the lab once PED receives approval from the appropriate District Attorney's Office (DA).
- 4.4. Narcotics that have been seized as evidence as part of an Investigative/Reliability Buy operation, or as part of a case that is being prosecuted in federal court, must have the phrase "investigative buy" or "for federal prosecution" written on the property receipt. The investigating member will fill out an FSR Form and submit it to PED. DA approval is not required for these items.
- 4.5. Members may contact PED or the OSP Lab for information on current narcotics testing procedures.
5. **Processing Marijuana Grow Operations.**
 - 5.1. The DVD is responsible for processing marijuana and related items associated with illegal grow operations. Members discovering illegal marijuana grow operations during DVD business hours will request a DVD team to respond. After business hours, BOEC will contact the on-call DVD sergeant upon request. Members will include the name of the DVD supervisor contacted on the PED receipt and document the action in their report.
6. **Processing Money.**
 - 6.1. When feasible, members will photograph seized evidence money in amounts equal to or greater than \$100 at the scene where the money was discovered in order to document where, how, and in what condition the money was seized. If the photograph is not taken at the scene, members may photograph the money at a later time in a manner that shows the currency displayed or stacked with the original packaging. Members will upload photos to the Digital Image Management System (DIMS) in accordance with Directive 640.02, Photography and Digital Imaging. PED will not take photos of the seized money.
 - 6.2. Money will be counted together by two members. The names of the two members will be annotated in the appropriate report.
 - 6.3. Members will document the number of bills and/or coins of each denomination on the PED receipt along with the total amount.

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- 6.4. Members may leave currency up to \$10,000 in a drop safe at any satellite property room or deliver it directly to PED. Currency in amounts greater than \$10,000 must be brought to PED. During non-business hours, members will initiate a call-out for PED staff via BOEC.
- 6.5. PED will perform a separate count of money greater than \$100. PED will document any discrepancy in an appropriate report. A copy of the report will be sent to the delivering officer and the investigating member.
- 6.6. Members will ensure case envelopes involving money evidence are stamped with "Money Seizure" in red ink.
- 6.7. Evidence money received at PED in amounts equal to or greater than \$100 may be deposited into an Evidence Money bank account after 60 days of storage unless the DA's Office, the case officer, or a detective directs PED to retain the physical currency for prosecution or investigative purposes. A requester seeking retention may contact PED who will then send a confirmation back to the individual or agency.

7. Processing Firearms.

- 7.1. Members will ensure that firearms are unloaded and rendered safe for handling. If a firearm cannot be made safe by unloading and securing the action/cylinder open, or if there is any question as to whether the firearm is loaded, the member will attach a red "Unsafe Firearm" tag to both the firearm and to the outside of the locker in which the firearm is placed.

- 7.2. Members shall refer to the PED Officer Packaging Manual for instructions on packaging firearms and ammunition.

7.2.1. Members shall deliver all semi-automatic pistols, semi-automatic rifles in .22 LR, 7.62x39, and .223,; and any semi-automatic rifle that fires a handgun round directly to the Gun Task Force (GTF) for IBIS processing and, if necessary, DNA swab processing.

7.2.2. Firearms that are accepted for IBIS processing, which require ~~Firearms requiring~~ fingerprinting and/or photographing will be delivered to the GTF PED prior to any other destination.

7.2.2.1. Only firearms submitted as evidence, found property, and for destruction are eligible for IBIS processing. Firearms submitted as safekeeping and prisoner property are not eligible for IBIS processing.

7.2.2.2. All other firearms requiring fingerprinting and/or photographing will be delivered directly to PED or FED.

~~7.2.1.~~ 7.2.3. Any firearms not requiring IBIS or FED processing will be delivered directly to PED or any satellite property room locker.

- 7.3. PPB members should be aware that members of the public may surrender a dangerous or deadly weapon for destruction to any on-duty sworn member at any precinct. Members will conduct the following at the time of surrender:

- 7.3.1. Members must obtain the name and address of the owner or the person surrendering the weapon, as well as pertinent information related to the weapon

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(i.e., serial number, make, model, caliber, importer and country of origin) from the person surrendering the weapon.

7.3.2. Members must ensure a declaration from the individual is annotated on a property receipt. The declaration should include the statement: "I, [person surrendering property], voluntarily surrender this [weapon name] for destruction with the understanding that I knowingly forfeit any claim to the weapon."

7.3.3. Members will provide the person surrendering the weapon a signed copy of the property receipt.

7.3.4. Members shall deliver any surrendered for destruction semi-automatic pistols; semi-automatic rifles in .22 LR, 7.52x39, and .223; and any semi-automatic rifle that fires a handgun round directly to the GTF for IBIS processing. GTF personnel will process the firearm through PED once IBIS processing is complete.

8. Processing for Integrated Ballistics Identification System (IBIS) Classification.

8.1. Members shall submit any firearms that are seized as evidence, found and surrendered for destruction, under the following eligibility categories, to the OSP Crime Lab GTF for IBIS processing:

8.1.1. Semi-automatic pistols.

8.1.2. Semi-automatic rifles in .22 LR, 7.62x39, .223 and any semi-automatic rifle that fires a handgun round.

~~8.1.3. Semi-automatic/pump action shotguns.~~

8.2. Members may also submit ALL spent casings that have been fired from any of the firearms listed ~~above~~ in Section 8.1.2, to the GTF for IBIS processing.

8.3. When submitting casings or firearms, members must complete an FSR Form to the OSP crime lab for IBIS classification and leave the form with the evidence at the GTF; however, members should be aware that some firearms and caliber do not qualify for IBIS entry. Members may contact the GTF, PED, or the OSP Crime Lab with any questions about IBIS processing.

8.4. Members will deliver firearms listed in Section 8.1.2. and all spent casing directly to the GTF during regular business hours or the secured drop box at the GTF after-hours. In urgent situations, supervisors will initiate a call-out of GTF personnel through BOEC.

~~8.4.8.5.~~ Members may deliver all other these items firearms to PED during business hours or; to a satellite property room locker, ~~or directly to the crime lab.~~

9. Processing Weapons Other than Firearms.

9.1. Members will package these weapons in accordance with the PED Officer Packaging Manual.

9.2. Members shall refer to Section 7.3. for information regarding surrendering weapons for destruction.

10. Processing Alcohol.

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10.1. Members who take possession of alcohol are encouraged to photograph and then release or dispose of the property unless it contains forensic evidence. Members will upload photographs to DIMS in accordance with Directive 640.02, Photography and Digital Imaging.

11. Processing Hazardous Items.

11.1. With the exception of evidence samples collected by DVD at scenes of illegal drug labs, hazardous or noxious materials will not be accepted by or stored in any PED facility due to the health risk posed by exposure. Members shall refer to Directive 640.13, Drug Lab Procedure, for additional guidelines. Members encountering hazardous or noxious materials that are not part of an illegal drug lab will contact BOEC, which will then notify the Portland Fire Bureau Hazardous Materials Team (HazMat).

11.2. DVD personnel will package lab samples in accordance with the PED Officer Packaging Manual.

11.2.1. DVD personnel will issue PED receipts and complete an FSR Form for all samples taken. Members will deliver samples and forms to the crime lab during business hours or to PED during non-business hours using the call-out procedure.

11.2.2. Members shall deliver contaminated firearms (e.g., exposed to drug lab chemicals) from scenes of illegal drugs labs to a PED facility. All other contaminated articles, including paperwork, will not be accepted or stored at a PED facility.

11.2.3. Members will not transport contaminated articles, excluding contaminated firearms, from scenes of illegal drug labs in any Bureau vehicle.

11.2.4. Contaminated firearms will not be available for further investigation or viewing purposes unless handled by DVD personnel wearing the same level of protective gear that was worn during the initial processing.

11.3. Items that have been contaminated with blood or other body fluids are considered bio-hazardous; members will package these items in accordance with the PED Officer Packaging Manual.

11.3.1. Members must deliver items that are wet with blood or other body fluids directly to PED during business hours or to the biohazard shed at the Rivergate Vehicle Storage Facility (RVS) after business hours. Members will leave the pink copy of the PED receipt at RVS. Members will not leave bio-hazardous items at any other property/evidence facility.

11.3.2. Members may deliver items contaminated with blood or other body fluids that are dry to PED or any satellite property room locker.

11.4. Syringes present a serious health risk and must be handled with extreme care; members will discard all syringes except those that are essential for prosecution purposes.

11.4.1. Members will discard unnecessary syringes into approved sharps containers only.

11.4.2. Members will not deliver syringes or parts of syringes to the crime lab unless authorized by the Deputy District Attorney (DDA) in advance.

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- 11.4.3. Members will place syringes being submitted as evidence to the crime lab or PED inside plastic syringe holders. The crime lab and PED will only accept syringes packaged in plastic syringe holders.
 - 11.5. Explosives, bomb-making materials, ammunition .50 caliber or larger and commercial size fireworks will not be accepted or stored at any PED facility. Members shall refer to DIR 740.00, Explosive Device Incidents and Explosive Device Unit (EDU), for additional guidance.
 - 11.6. Illegal fireworks that fill less than a regular-sized paper grocery sack may be placed in any PED facility.
 - 11.6.1. Members will place larger quantities in the orange wooden box adjacent to the bomb room on L-1 in the Justice Center. If that box is full, members will contact EDU via the Dispatch Coordinator (DC) for disposition instructions. Members will forward the pink copy of the PED receipt to PED.
 - 11.6.2. Members may place less than a dozen M-80 size devices in any property/evidence facility. Larger quantities and any device more powerful require special handling. Members must contact EDU via the DC for disposition instructions.
 - 11.6.3. Improvised, homemade, or modified fireworks will not be accepted or stored in any property/evidence facility. Members must contact EDU via the DC for disposition instructions.
 - 11.7. Gasoline will not be accepted or stored at any property/evidence facility.
 - 11.7.1. Members must ensure fuel containers and small engines with gas tanks (e.g., lawn mowers, chain saws, generators) are emptied prior to delivery. Members may utilize equipment located at RVS to remove fuel from such items.
 - 11.7.2. Members will deliver fuel containers and small engines with empty gas tanks to any property/evidence facility. Members will not leave these items at RVS.
 - 11.7.3. If the fuel is required as evidence, members will place a sample of it into a sealed vial or jar and process it for the crime lab using a separate PED receipt and FSR Form. The remainder of the fuel will be disposed of as outlined above.
 - 11.8. Propane tanks and canisters may be left at any property/evidence facility.
 - 11.9. Members will package deployed Conducted Electrical Weapon (CEW) probes in accordance with the PED Officer Packaging Manual.
- 12. Processing Sexual Assault Evidence.**
- 12.1. Members will not leave items other than the Sexual Assault Evidence Kit and the victim's undergarments and/or pantyhose in the OHSU locker. Members shall refer to Directive 640.20, Sexual Assault Investigations, for additional guidelines.
 - 12.2. Members will refer to the PED Officer Packaging Manual for specific instructions on documenting and packaging sexual assault evidence.

13. Processing Found Property.

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- 13.1. Members are encouraged to determine ownership of found property and return it, if time and circumstances permit. Identified owners' names will be written on the PED receipt. Members who return property directly to the owner will mark the PED receipt with the words "Returned to Owner" and have the recipient sign the face of the receipt. Members will forward the pink copy to PED.
- 13.2. Members should inform individuals who want to make a finder's claim for found property to contact PED within five days.
- 13.3. Members shall write "Finder's Claim" boldly across the face of the PED receipt to avoid unintentional disposal of the property.
- 13.4. Members may deliver found property to any property/evidence facility, unless the property contains noxious or hazardous materials.

14. Processing Safekeeping Property.

- 14.1. When property is obtained for safekeeping purposes, the member will leave the yellow copy of the PED receipt with the person from whom the property was obtained.
- 14.2. Members will inform individuals who want to turn in weapons for safekeeping that policy does not permit PED to be used as a storage facility and weapons may be destroyed after 60 days if they are not retrieved. Members may suggest to individuals the use of commercially-available storage lockers.
- 14.3. Safekeeping property will be released to the named owner upon demand after the property has been received at PED, which is usually one working day after turn-in.
- 14.4. Members may deliver safekeeping property to any property/evidence facility, unless the property contains noxious or hazardous materials.

15. Processing Prisoner's Property.

- 15.1. Members must provide the yellow copy of the PED receipt to the arrested subject prior to incarceration, as this is the only notification the arrested subject will receive. Members should inform an arrested subject that the receipt must be maintained on their person or with their personal property kept at the jail, as appropriate. Members shall, when practical, advise arrested subjects that their personal property must be claimed within 60 days or it will be disposed. Members will document the delivery or provision of the yellow copy in the appropriate report.
- 15.2. Members may deliver a prisoner's property to any property/evidence facility. The prisoner's property will be released to the named defendant/subject upon demand after the property has been received at PED, which is usually one working day after turn-in.

16. Processing Interview Recordings.

- 16.1. Investigators electronically record interviews for a variety of purposes as required by Oregon Law, in situations consistent with division or bureau policies, or at the discretion of the investigator.

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16.1.1. In situations where interviews are electronically recorded, investigators are required to make an original copy of the interview as soon as practicable on an external media (e.g., CD disc, thumb drive). The investigators shall submit this original copy with a property receipt to PED.

16.1.2. PED shall retain the original copy and will use it to make additional copies, as necessary.

16.1.2.1. To preserve chain of custody, any time PED makes a copy of an electronic record, the PED staff member making the copy will note on the property evidence tag the date the original media is opened and identify themselves as the person opening same, and will again note their identity and the date the original media is resealed in the original packaging when the copy is complete.

16.1.3. PED may purge the original copy of the interview pursuant to PED SOPs and with the permission of the investigator, the District Attorney's Office or a court of law.

17. Processing Digital Evidence.

17.1. Digital evidence on an electronic device (e.g., laptops, smart devices) shall be processed by the Digital Forensics Unit (DFU) located in the Justice Center. Once the appropriate digital evidence is extracted from the device and copied onto an external media, a member shall forward a copy with a property receipt to PED.

17.2. PED may purge the copy pursuant to PED SOPs and with the permission of the investigator, the District Attorney's Office or a court of law.

17.18. Checking Out Evidence.

17.1.18.1. When feasible, members intending to check out evidence should inform PED in advance to avoid delays.

17.2.18.2. Members will maintain the chain of custody by signing for the items from PED.

17.3.18.3. If the possibility exists that a member may turn over custody of the evidence to the court, a prosecutor, another agency, or another member, PED will provide the member with an Evidence Transfer Form to be used to maintain the chain of custody. The member will obtain the signature of the person to whom custody was relinquished and ensure that the signed copy is returned to PED. Members must return either a signed Evidence Transfer Form or the checked-out evidence within 10 business days.

17.4.18.4. Upon the check-in of evidence, PED will maintain the chain of custody by obtaining the delivering member's signature. If the member returns the evidence via a satellite property room, the member will sign and date the Evidence Transfer Form indicating when and in which locker the evidence was left.

18.19. Transferring Evidence.

18.1.19.1. Members may request that evidence be transferred to the crime lab for analysis by submitting a completed FSR Form to PED.

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~~18.2.~~19.2. Members may request that evidence be transferred to FED for processing by submitting a completed Forensics Processing Request Form to PED.

~~18.3.~~19.3. Any other requests for transfer of evidence must be in writing and signed by a sworn member.

~~19.~~20. **Releasing Property and Evidence.**

~~19.1.~~20.1. It is the responsibility of PED to establish the owner's identity prior to releasing any property or evidence. PED may release the following property upon demand, generally within one business day after turn-in, after they have received it: found property belonging to an undisputed owner, safekeeping property for a named owner, and prisoner property for a named defendant/subject.

~~19.2.~~20.2. In cases where ownership is unknown or in dispute, PED will refer inquiring persons to the delivering member to obtain written authorization to claim the property. If a member is unable to determine ownership due to conflicting claims, the member will contact the City Attorney's Office for instructions.

~~19.3.~~20.3. Evidence will be released to an owner when the item(s) is no longer needed as evidence and has been released by a sworn member, a court, or the DA's Office. Sworn members authorizing the release of evidence will notify PED in writing.

~~19.4.~~20.4. When address information is available, PED will attempt to notify property owners in writing of the availability of found, safekeeping, and releasable evidence items. Unclaimed property will be eligible for disposal after 60 days.

~~19.5.~~20.5. Firearms and restricted weapons will be released in accordance with the above procedures (Section 19.1. through 19.4.) and PED SOPs 4 and 8.

~~19.6.~~20.6. Money may be released by PED as cash. Money that has already been deposited will be released via check.

~~19.7.~~20.7. Although the Multnomah County District Attorney's Office (MCDA) encourages the pretrial release of property to victims whenever possible, members should consult with the appropriate DA prior to releasing property that may be evidence or authorizing PED to release property that may be evidence.

~~20.~~21. **Disposition of Property and Evidence.**

~~20.1.~~21.1. PED will dispose of unclaimed, found, safekeeping and prisoner's property after 60 days of storage or after 60 days from the date of notice to the owner.

~~20.2.~~21.2. Unclaimed evidence will be authorized for release by a sworn member, a court, or the DA's Office. Evidence items that are not retrieved within 60 days from the date of notice to the owner are subject to disposal. If the owner is unknown or cannot be located, or the items are contraband, the items will be eligible for immediate disposal after PED receives authorization from a sworn member, a court, or the DA's Office.

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~~20.3.21.3.~~ PED will dispose of firearms and restricted weapons that are not claimed. All unclaimed ammunition will be removed from PED and destroyed by EDU.

~~20.3.1.21.3.1.~~ Firearms suitable for use by the Bureau may be transferred to the Training Division armory inventory with the approval of the Chief of Police.

~~20.3.2.21.3.2.~~ When Bureau-owned firearms no longer meet Bureau requirements or serve Bureau purposes, the Training Division may document the firearms on an inventory sheet, including serial numbers, and turn them over to PED for disposal.

~~20.3.3.21.3.3.~~ Officially-recognized historical societies may apply for and, subject to approval by the Chief of Police and the City Council, arrange for the transfer of weapons with historical significance.

PED will send Officer Disposition Reports and Trace forms to members for evaluation of further retention and disposition of evidence either electronically or through inter-office mail. Generally, members should notify PED to dispose of evidence whenever a member determines that it is no longer needed as evidence; however, upon receipt of an Officer Disposition Report, members will indicate the appropriate disposition of the evidence and return the form or electronic notification to PED within 30 days.

DRAFT

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, April 16, 2018 1:40:30 PM
Last Modified: Monday, April 16, 2018 1:41:44 PM
Time Spent: 00:01:14

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Q1 Please provide feedback for this directive

Why enhance these directives when police don't follow the current ones? Literally police disappear property and don't handle it the way it should. The city has paid out settlements for property disappeared by officers under current directives. Until their is enforcement of current directives it doesn't make sense to make changes or pretend these are applied by officers.

Q2 Contact Information (optional)

Respondent skipped this question

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, April 17, 2018 8:53:31 AM
Last Modified: Tuesday, April 17, 2018 9:05:06 AM
Time Spent: 00:11:34

Page 1

Q1 Please provide feedback for this directive

For the sake of process improvement, in the instance of evidence copies (surveillance footage, for example), section "17. Checking Out Evidence" should provide an option by which requested item copies may be sent via inter-office mail. As it is now, requesting sworn personnel have to drive to the warehouse to physically pick up copies of evidence, using valuable time to do so. Inter-office mail is trusted as a method to send and receive multiple examples of sensitive information; in this instance, there is seemingly no concrete reason as to why the evidence copies in question cannot also be sent via interoffice mail.

Q2 Contact Information (optional)

Respondent skipped this question
