



# Cranston Police Department

## General Order 350.20

SECTION	EFFECTIVE DATE	PAGES
300 – Law Enforcement Operations	April 14, 2015	15
SUBSECTION	SPECIAL INSTRUCTIONS	
50 – Investigations		
TITLE	CALEA STANDARD	
350.20 – Bureau of Criminal Identification	<b>83.1.1, 83.2.1, 83.2.2, 83.2.3,  83.2.4, 83.2.5, 83.2.6, 83.2.7,  83.3.1, 83.3.2, 84.1.1, 84.1.2,  84.1.3, 84.1.4, 84.1.5, 84.1.6,  84.1.7, 84.1.8</b>	

### I. Purpose

- a. To provide guidelines for the accurate, timely collection and preservation of evidence. This policy will establish guidelines for both maintaining the integrity of the evidentiary chain of custody and properly storing found/personal property.

### II. Policy

- a. It is the policy of the Cranston Police Department to provide efficiency in the identification, collection and preservation of physical evidence at a crime scene.

### III. Authority

- a. Federal Law
- b. State Law
- c. The Chief of Police is vested by and subject to the provisions of the City Charter and the laws of the State of Rhode Island, with the authority to approve, issue, modify, or rescind all departmental general orders, special orders, personnel orders, and memoranda.

### IV. Procedure

- a. Crime Scene Processing
  - i. The first department member to arrive at a crime scene should not move or touch anything whenever possible.
  - ii. Members should always check for persons requiring medical attention and/or suspects, but should be cautious as to not disturb the crime scene.
  - iii. All activity performed and any alterations to the scene should always be noted.
    1. Request necessary assistance. All persons found at the scene should be identified, detained and kept separate from each other

2. Briefly note and record any evidence that may relate to the crime. The date, time of arrival, weather conditions and room conditions should be recorded and a Crime Scene Roster should be started and maintained.
  3. Officers should physically isolate the outer perimeter by erecting a clearly marked crime scene barrier.
  4. Only authorized personnel are to be allowed inside the perimeter of the crime scene.
    - a. BCI Detectives can authorize or deny officers access to a crime scene, regardless of rank.
  5. The name and time of authorized persons entering and leaving the crime scene will be recorded utilizing the designated Cranston Police Department Crime Scene Roster.
  6. It is imperative that all evidence be protected from contamination, alteration, damage, destruction and theft.
    - a. Any officer who is unfamiliar with the procedure relating to the collection and preservation of evidence should obtain assistance from a supervisor, a member of BCI or a Crime Scene Technician.
- iv. Members of BCI processing a crime scene will photograph search, collect, preserve, document, transport, and submit evidence to the Property/Evidence Room or other authorized location.
1. BCI will provide technical assistance to other department members as needed.
  2. BCI personnel will be equipped with department issued cellular phones so response will be provided in an efficient manner.
- v. A mobile crime scene vehicle will be assigned for use by BCI Detectives
1. It will contain the required equipment and supplies to perform the following tasks:
    - a. Recovery of latent fingerprint evidence.
    - b. Photography and video documentation.
    - c. Crime Scene sketching and recording.
    - d. Collection and preservation of physical evidence.
  2. It is the responsibility of members of BCI to ensure that the Crime Scene Vehicle is maintained in good repair and is ready for service on a 24-hr basis.
  3. Detectives of BCI will keep the crime scene vehicle stocked with the necessary supplies and equipment to ensure the performance of the above listed tasks.
  4. BCI Detectives will be allowed access and use of the Mobile Resource Center when it is deemed necessary.
- vi. Reports filed by officers processing the crime/accident scene will be completed by the end of their tour and will contain the following information;
1. Case Number
  2. Officer's name, date and time of notification and arrival at the scene
  3. Location of the crime scene
  4. Name and information of all parties involved
  5. Actions taken at the scene, to include:
    - a. Number of photographs taken, type of camera used (digital or film), type of film, if applicable and which camera was used.
    - b. Whether or not measurements were taken for preparation of a crime scene sketch.
    - c. Documenting all physical evidence recovered to include;
    - d. A description of the item (make, model, and serial number)
    - e. The source of the item and name of the officer collecting the item.
    - f. Assigning a property number and providing a description of the evidence.
    - g. Exposed film or Digital Media containing photos and crime scene measurement information.

6. The investigating officers will document in a written report all procedures used and circumstances surrounding how all visible and latent evidence was located and recovered.
  7. In situations where a substance or material from a known source is available, it will be collected for submission to the appropriate laboratory for comparison with physical evidence collected from the scene. This will be done in a manner to ensure the admissibility and integrity of the sample in a court of law.
- vii. Photography
1. The crime scene should be photographed and/or videotaped before any search has begun.
    - a. In a team situation, one person should be assigned to all the photography and videotaping
  2. No personnel should be within the scene at this time and no police equipment should be included in the photographs except as necessary for investigative purposes
  3. Items of evidence may not be moved or examined until they have been photographed and/or videotaped from all relevant angles and examined for evidentiary value.
  4. Crime scene photographs and/or videotape should include the following:
    - a. The approaches to the crime scene
    - b. The surrounding area
    - c. The general scene
    - d. Relevant close-ups
    - e. Body positions should be photographed from all compass points (N,S,E,W), along with an identification photo of the decedent's face.
    - f. Any fingerprints, bloodstains, tool marks, bite marks, damaged area, skid marks, tire tracks, glass, impressions, etc.
  5. In photographs where a scale is required, a minimum of (2) photographs should be taken; one (1) without the scale in the photograph and one (1) with the scale in the photograph.
  6. At the time the photographs are taken, a record should be made of the date, time and location of the photographs, as well as the case number of the incident. The type of camera, f/stop, focal length and air temperature should also be noted.
  7. Each item of evidence should be photographed showing its location relative to the crime scene.
  8. If a digital camera is used then the photographs will be stored onto a CD/DVD and loaded into the Image Archive Folder, or the photos may be loaded into the image files of the records management system.
  9. If film is used, then upon completion, the rolls of film will be placed in the alarmed evidence room until such time that the film can be transported for development.
    - a. The negatives and photographs will be stored and filed by case number in the evidence room.
- viii. Crime Scene Sketch
1. The investigating officer and/or member of BCI will create a sketch of the crime scene when applicable. This sketch will include, but not be limited to the following:
  2. Dimensions of the crime scene
  3. Relation of the crime scene to surrounding area/buildings.
  4. Address, floor or room number as appropriate.
  5. Location of the significant features of the crime scene including the victim, if any.
  6. Date and time of preparation.
  7. Name of person(s) preparing the sketch.
  8. Direction of North.
  9. Locations of physical evidence recovered.

10. The department's Total Station Forensic Mapping System will be utilized on major crime scenes or where BCI members deem it necessary. The BCI Division may request assistance from the Traffic Division or any other Officer that may be trained in the use of the Total Station.

ix. Fingerprints

1. A crime scene search will include a detailed examination for visible, plastic and latent fingerprints when appropriate. Officers performing this function will preserve all developed prints.
2. All surface areas in and around the crime scene that have the potential of retaining fingerprints or palm prints will be searched and processed using an appropriate method determined by the Crime Scene Technician or BCI Officer.
3. Elimination fingerprints will be obtained from all persons who had legal access to a crime scene so that the prints may be used to exclude them. This includes any victims, witnesses or involved parties. Elimination prints will include all of the individual's information and be marked "Elimination" prints.
4. Fingerprints found at a crime scene will be immediately recorded by photography before any attempt is made to lift the prints. A photograph of the print will be taken with a scale present in the photograph and another without the scale present.
5. The fingerprint lift card will contain the following information:
  - a. Case number
  - b. Date and Time
  - c. Officer's Name/Badge Number
  - d. Property Number
  - e. Location or object the print was lifted from.
6. Fingerprints from known individuals, latent fingerprints and all other fingerprint evidence will be stored in such a manner as to preserve evidentiary value through proper identification, packaging security and chain of custody.

b. Evidence Collection

- i. Any officer impounding evidence shall properly handle, mark, package (if appropriate) and transport all physical evidence to headquarters or any other authorized location as soon as practicable prior to the end of their tour of duty and document the evidence in accordance with this policy.
- ii. After the search has been completed and the sketches and photographs have been taken, the evidence may be collected.
- iii. One (1) member of BCI will be the lead evidence collector who would have the responsibility of securing the evidence and maintaining the chain of custody.
- iv. For all items of evidence that are collected, a list containing the following information should be prepared:
  1. A description of the item(s), including the make, model and serial number, if any.
  2. The source from which the item(s) were obtained.
  3. The date, time, location and the name/badge number of the person seizing the evidence
- v. Evidence should only be handled when necessary
- vi. Latex Gloves will be used when handling any evidence
- vii. If needed, a swatch or section may be cut out, taken away or removed from its original environment (i.e., carpet, upholstery, wall, door, ceiling, etc.)
- viii. Some types of evidence require special handling procedures, such as, but not limited to the following:
  1. Liquid blood samples shall be placed in properly sealed containers and promptly refrigerated.
  2. Wet or bloody clothing should be air dried and packaged in paper bags.



3. Physiological fluids should be frozen.
  4. Items possibly supporting latent fingerprints should be protected from any movement or actions that might destroy or contaminate the prints.
- C. Marking the Evidence
- i. All property shall be packaged, labeled and sealed. The packaging shall be initialed and dated.
  - ii. Property that cannot be packaged should be initialed in a manner that preserves the evidentiary value and has minimal effect on the item's appearance.
- d. Packaging Evidence
- i. The main purpose in using proper containers and packaging is to prevent a change in the physical evidence through:
    1. Loss by leakage
    2. Evaporation or seepage
    3. Contamination
    4. Mixture or mingling
    5. Alteration
    6. Pilferage
  - ii. All evidence containers shall be sealed in such a way that a container cannot be opened unless a seal is broken. All seals shall be marked with the Officer/Detectives initials, badge number, date and time (RISCL Required).
    1. Narcotics and currency that are not sealed properly will not be accepted.
  - iii. Evidence should not be bent or forced into a container. Padding may be added to prevent the object from moving, sliding or rolling within a container.
  - iv. To ensure the preservation of evidence and the prevention of contamination, all items should be properly packaged by using:
    1. Glass canning jars with screw on lids and metal paint cans for volatile substances (DO NOT USE PLASTIC).
    2. Sterile plastic jars, metal cans or small packaging envelopes for small items, such as: bullets, shell casings, glass fragments, paint chips, hair, fibers, powdery substances, etc.
    3. Specified cardboard boxes for knives and firearms.
    4. Self-sealing, plastic bags for narcotics and other dangerous drugs, currency, jewelry, and other small items.
    5. Paper bags for stained materials such as, bloodied articles or those containing bodily fluids. (CAUTION: DO NOT PACKAGE MATERIALS WHEN WET AND MOIST. ARTICLES SHOULD BE ALLOWED TO DRY AND THEN BE PLACED IN THEIR OWN SEPARATE CONTAINER).
    6. Sharps containers for Hypodermic needles.
  - v. All evidence will be appropriately stored and secured according to department directives.
- e. Documenting Evidence
- i. To minimize the chain of custody, evidence should be handled by as few people as possible. The impounding officer is responsible for the evidence seized, and its chain of custody, until the evidence is turned over to the evidence custodian.
  - ii. The impounding officer will issue each piece of evidence/property a separate IMC Property Number and attach the appropriate Property Label to the item. Items should be packaged separately and then secured in Temporary Storage Lockers, The Impound Garage or the outside Impound Area.
  - iii. Any Evidence suspected of having blood and/or bodily fluid on it shall be allowed to air dry and then placed in doubled paper bags and sealed (preferably with red-bio hazard tape or labeled with bio-hazard stickers).
  - iv. The impounding officer is to complete a Cranston Police Department Property Form prior to placing the evidence in the temporary storage lockers. The evidence is to be listed in the

property section of the officer's report. The Property Form is to generically describe the items being seized and shall also include any serial numbers. Indicate which evidence needs to be processed, and what it needs to be processed for. The Property Form shall accompany the evidence to either the temporary storage lockers or the evidence custodian.

- v. Evidence shall be properly marked and labeled. Evidence seized shall be marked with the following:
  - 1. Date and time evidence was seized.
  - 2. Property number(s).
  - 3. Case report number.
  - 4. Officer seizing and depositing evidence.
  - 5. Storage location (Temporary storage lockers, Evidence Bay, etc.)
  - 6. Indication of whether processing is necessary.
- vi. Items too large to be stored inside the temporary storage lockers are to be stored in the impound bay in the basement or the outside impound area in the rear lot of Headquarters.
- vii. Evidence which needs to be processed (i.e., fingerprints, DNA analysis, etc.) shall be accompanied by a memorandum indicating what the item is and for what it is to be processed.
  - 1. The memorandum should also include suspect/victim's names and date of birth.
- viii. Evidence to be analyzed for fluids (i.e., blood, urine and alcohol) shall be placed in the temporary storage refrigerators.
  - 1. The impounding officer should notify BCI via e-mail or departmental memorandum that the evidence has been placed there and what analysis is required.
- ix. Any cash which is seized shall be counted by the impounding officer and a supervisor.
  - 1. It shall then be placed in a clear, tamper proof, plastic evidence envelope, sealed, initialed and dated.
  - 2. A property label showing the amount should be affixed to the front of the tamper proof bag.
- x. Separate Property Forms should be completed for each group of narcotics, each group of money, each group of jewelry, etc.
  - 1. For example: an officer seizes 2 bags of Marijuana, 1 gram of cocaine, and \$150.00 in cash. The two baggies of Marijuana are packaged together and listed on one Property Form. The cocaine is packaged separately and listed on a second Property Form. The money is secured in a third package and listed on a separate Property Form than the narcotics.
- xi. Any evidence that is seized relative to a felony investigation shall be documented on a Cranston Police Department Seizure Report. The impounding officer will sign the Seizure Report and it will accompany the evidence where it is to be stored. Upon accepting and storing the evidence, the BCI Detective shall sign the Seizure Report and forward it to Records to be scanned into the images section of the report.
- xii. Any officer that seizes any narcotics during an investigation shall complete a Rhode Island Department of Health Transmittal Form. The Transmittal Form shall indicate the tests that are being requested and submitted along with the property form to BCI.

f. Storage of Evidence

- i. BCI Detectives shall be responsible for receiving, storing, maintaining, releasing and accounting for all evidence in compliance with department policy.
  - 1. The Temporary Storage Lockers are to be emptied and the property shall be transported to the Alarmed Evidence Room (AER) in a timely manner
- ii. Upon receiving the evidence/property, the BCI Detective shall examine it to ensure that it is properly marked and packaged.

1. They will also ensure that the Property Form is properly filled out. If either does not conform to requirements, the Detective shall return the item to the submitting officer's supervisor for correction.
- iii. Upon acceptance of the property/evidence, the BCI Detective shall transfer the evidence from the temporary storage lockers to the appropriate storage area in the AER.
  1. A storage location (Bin #) shall be assigned for the property/evidence and recorded on the Property Form and in the record management system. All Property Forms will be stored in numerical order, by year, inside of the evidence room.
- g. Submission of Evidence to Forensic Laboratories
  - i. It shall be the responsibility of the BCI Detectives to request crime/forensic laboratory examinations.
    1. BCI Detectives will be responsible for preparing and transporting physical evidence to the appropriate laboratory.
  - ii. All narcotics and other controlled substances will be transported by a BCI Detective to the Rhode Island Department of Health, Toxicology Unit for examination.
    1. In instances involving juvenile suspects, narcotics and controlled substances that are seized will only be tested by special request as required by the court.
  - iii. All seized evidence subject to examination shall be submitted to the appropriate laboratory as soon as possible.
  - iv. In situations where perishable evidence, such as fresh blood, bloodstained objects, physiological stains and tissue, biological materials and alcoholic beverage samples cannot be submitted in a timely fashion, such perishable evidence will be stored in BCI evidence refrigerator.
  - v. Items of physical evidence submitted for examination will be prepared in a uniform manner.
  - vi. Items of evidence will be packaged and transmitted consistent with the requirements of the receiving laboratory.
  - vii. Depending upon the circumstances surrounding a particular investigation and/or the type of evidence in question, the department will utilize, but is not limited to, the following laboratories:
    1. The Rhode Island Crime Laboratory at the University of Rhode Island
    2. The Rhode Island Department of Health, Providence, Rhode Island. Please note that any evidential submissions must be forwarded consistent with RIDOH guidelines (electronically located in the departmental "M-Drive," hard copy on file in the BCI Unit).
    3. The Connecticut State Crime Lab, Meriden, CT.
    4. The Federal Bureau of Investigation's Forensic Lab, Quantico, VA.
  - viii. The officer transporting the evidence to the laboratory will obtain a receipt to maintain the chain of custody.
  - ix. Regardless of which laboratory is utilized, the following information will be recorded upon submission of evidence:
    1. The name of last person having custody of the item
    2. The date and time of the submission or mailing and the method used for transportation.
    3. The date and time of receipt in the laboratory
    4. Name and signature of the laboratory personnel receiving the evidence.
  - x. A written report of the laboratory findings will be obtained and the results will be documented in a supplemental report by the submitting officer. The written lab report will then be scanned into the images section of the record management system and the original will be stored in records.
- h. Recording Transfers of Custody
  - i. BCI Detectives shall be responsible for maintaining an accurate record of all changes in the custody of evidence.
    1. Such changes shall be fully recorded on the reverse side of the Property Form and the record management system.

- ii. Members of the department to whom evidence is transferred bear full responsibility for ensuring its security, proper handling, storage and maintenance until the evidence is returned to the evidence custodian.
  - iii. When evidence/property is being released to its owner, the receiver shall sign the Property Form indicating receipt of the items. The receiver is required to produce a photo ID prior to the release of the evidence/property.
  - iv. Evidence may be released for court purposes to the impounding officer, lead investigator, or prosecution officer. The officer must sign and date the Property Form and the record management system tracking must be updated to reflect the transfer.
  - v. Except when admitted into evidence in court, evidence removed for court purposes shall be returned immediately.
    - 1. Upon return, the officer shall indicate the date and time it was returned and place it in the Temporary Storage Lockers or return it to a BCI Detective.
    - 2. A log recording the transfer of narcotics and/or other evidence for training purposes (i.e., K-9, SIU) shall be kept. The log shall indicate the time and date of transfer, amount transferred, transferring officer's name and badge number, and date time of return.
  - vi. Members of the department shall document the transfer of custody of physical evidence, while in the field/at the scene.
- i. Disposal of Evidence
- i. When no longer needed for evidentiary purposes, all evidence with the exception of firearms and contraband shall be returned to its lawful owner. If the property is transferred to this department by court order, or the lawful owner fails/refuses to claim the property, then the agency may, as permitted by law:
    - 1. Destroy the item;
    - 2. Dispose of it through auction;
    - 3. Turn it over to the Unclaimed Property Division of the State of Rhode Island; or
    - 4. Retain it for use by the department
  - ii. Firearms and non-drug contraband shall be destroyed unless a court order authorizes use of this item by this agency; or the firearm is required by State Law, Court Order, or request of the Attorney General to be returned to its owner.
  - iii. Drugs shall be destroyed in accordance with the practices established by the State of Rhode Island and/or Departmental Policy.
  - iv. All fireworks and ammunition shall be delivered to the State of Rhode Island Fire Marshal's Office for destruction.
  - v. At no time will any contraband be removed for the personal use/possession of an employee of this department.
  - vi. Evidence seized in a case shall be disposed of in the following manner:
    - 1. Felonies:
      - a. When the case results in a conviction then the destruction date shall be set at ½ the term of the sentence, to avoid any appeals processes and must be completed within six (6) months of that date.
      - b. When the case results in a non-conviction, 48A or the defendant is otherwise exonerated; then the evidence shall either be returned to its rightful owner or disposed of in accordance with this policy.
      - c. If no suspects exist or no arrests have been made, and the statute of limitations has expired, then the items can be disposed of or returned in accordance with this policy.
      - d. Under no circumstances shall evidence in unsolved Capital Crimes be disposed.
    - 2. Misdemeanors:



- a. When the case results in a conviction then the destruction date shall be set at ½ the term of the sentence, to avoid any appeals processes and must be completed within six (6) months of that date.
    - b. When the case results in a non-conviction, 48A or the defendant is otherwise exonerated; then the evidence shall either be returned to its rightful owner or disposed of in accordance with this policy.
    - c. If suspects exist or no arrests have been made, and the statute of limitations has expired, then the items can be disposed of or returned in accordance with this policy.
  - 3. Evidence collected in suicide and attempted suicide cases shall be disposed of after 90 days. If the item is a firearm, refer to the Firearms section of this policy.
- j. Missing Evidence or Property
  - i. If after a thorough search of the Temporary Storage Lockers, Alarmed Evidence Room, or any other possible location of storage, the evidence custodian believes a piece of evidence or seized property cannot be accounted for, the BCI Sergeant and the Detective Captain shall be notified in writing.
- k. Procedures for Found or Personal Property (non-evidence)
  - i. Found/Personal Property shall be properly marked and placed into the Temporary Storage Lockers with a completed Property Form. Personal Property with no evidentiary value shall not be impounded unless absolutely necessary. Prisoner traps should remain in the holding area and returned to prisoners upon their release or transfer. Officers are to ensure that prisoners sign a release form for their property.
  - ii. Every effort shall be made by the officer/detective involved in a Found/Personal Property case to locate the owner and return the property to that person.
  - iii. As time and space constraints require, the evidence custodian shall dispose of property for which no owner can be determined, or for which the owner refuses/fails to pick up. The disposal of Found/Personal Property shall be by the evidence custodian who shall follow the same general rules as apply to the disposal of evidence in accordance with the Rhode Island General Law.
- l. Guidelines for Specific Types of Evidence
  - i. Blood Sample
    - 1. Blood vials shall be placed in a plastic storage tube and then placed in the Temporary Storage Locker refrigerator. The storage tube shall be sealed, and labeled with the case number, initials and code number, and date/time. A Property Form shall accompany the vials.
  - ii. Alcohol
    - 1. A photograph of all alcohol seized shall be taken. One unit of alcohol (bottle, can, etc.) shall be saved, labeled, and packaged as evidence, the remainder destroyed. If the alcohol seized has been opened, then a sample shall be placed in an airtight container. The container will be sealed, labeled, packaged and then both the original container and the sample container will be logged as evidence.
  - iii. Drugs
    - 1. Seized drugs will be weighed by the impounding officer prior to submission as evidence. Drugs will be packaged in a clear, tamper proof, plastic evidence bag. The bag will be sealed, labeled and placed in a Temporary Storage Locker. A Property Form and a RI State Toxicology Transmittal Form shall accompany the drugs.
  - iv. Recovered Stolen Goods
    - 1. Recovered property from shoplifting and minor theft cases shall be photographed and returned to the owner.
  - v. Knives

1. All knives shall be placed in a cardboard knife box in such a manner that the edges or tip cannot injure someone who may handle the knife. The knife box shall be labeled and appropriately marked.

vi. Firearms

1. Safety - All seized or surrendered firearms.
  - a. All Firearms will be handled in a safe manner in accordance with department policy.
  - b. Every officer that confiscates a firearm will complete a Property Card and a Firearms Recovery Form. A Property Number will be issued for each individual firearm.
  - c. The firearm will be checked through NCIC and an ATF trace shall be requested.
  - d. The impounding officer will ensure that the firearm is rendered safe.
    - i. In the case of a semi-automatic/fully automatic weapon then it will be secured by pulling the slide back, and opening the cylinder or bolt.
      1. The same procedures should be utilized when securing long rifles and shotguns.
    - ii. If the firearm is a revolver, it will be secured by ensuring that the cylinder is open and devoid of any ammunition.
    - iii. The firearm will be secured in a long gun or handgun cardboard box.
    - iv. The firearms shall be stored separately from ammunition.
    - v. Secure the firearm in the Temporary Storage Lockers.
  - e. If the arrestee possesses a State of Rhode Island Permit to Carry a Concealed Weapon then the permit will be confiscated and submitted as evidence.
  - f. Upon taking possession of a firearm the BCI Officer will ensure that it is secured properly and all necessary paperwork and record management system entries have been completed. The firearm will then be stored appropriately in the AER.
2. Firearms seized as evidence
  - a. If testing is required (NIBIN entry, Test Fire, etc.), then the BCI Detective handling the case shall ensure that the firearm is sent to the appropriate Laboratory.
  - b. Upon learning that the criminal complaint has been adjudicated, the BCI Detective will confirm in writing (or email) with the Prosecution Division that:
    - i. The criminal complaint has been fully and finally adjudicated.
    - ii. The Prosecution Unit no longer requests that we retain possession of the firearm.
    - iii. When the Defendant is found guilty or otherwise convicted of the charge, the firearm will be disposed of as follows:
      1. If the firearm is owned by a person with no criminal involvement in the case, then they shall be notified in writing that he/she has six months from the date of notification to claim the firearm or it will be presumed abandoned under RI General Law.
      2. If the defendant owns the firearm then a motion for forfeiture will be filed by the Prosecution Division, as provided for in R.I. General Law.
      3. If the firearm was purchased with the proceeds of illegal narcotic related activity, move to have the firearm forfeited as provided for in R.I. General Law.
    - iv. When the Defendant is found NOT GUILTY or otherwise exonerated, return the firearm to its rightful original owner.
      1. If the defendant is the owner, notify the defendant in writing that he/she has six (6) months from the date of notification to

- claim the firearm or it will be presumed abandoned under R.I. General Law.
- 2. If the defendant is not the owner of the firearm, notify the owner in writing that he/she has six (6) months from the date of notification to claim the firearm or it will be presumed abandoned under R.I. General Law.
- c. The Prosecution Unit will notify the Attorney General in writing of the circumstances surrounding the seizure of a concealed weapons permit.
  - i. If the Attorney General will take action against the permit holder, the Prosecution Unit will notify the licensee in writing of the disposition of the permit.
    - 1. The licensee will also be notified that will not be authorized to carry a concealed firearm until otherwise notified.
  - ii. If the Attorney General will not take action against the permit holder, the Prosecution Unit will notify the licensee in writing that no action has been taken against their permit and that the licensee must respond to headquarters to retrieve the permit.
- 3. Firearms Seized for Safe Keeping
  - a. If it is believed that the owner meets the criteria set forth in R.I. General Law, mental incompetents, drug addicts, and drunkards prohibited from possession, the owner will be notified that they will need an order from a competent court instructing the department to return the firearm.
    - i. The owner may "file a motion to return seized property" with the court and arrange for a hearing on the matter.
    - ii. If the owner has not filed this motion within six (6) months from the date of notification, the firearms will be presumed abandoned under R.I. General Law.
  - b. If the firearm was confiscated due to the owner's temporary state of mind posing a threat to him/herself or others and the case has been adjudicated, no court orders are in effect and no other circumstances exists that would prevent the owner from legally possessing the firearm, then notification will be made in writing:
    - i. That the department is in possession of the firearm and that it was confiscated based on the office's reasonable concerns as outlined in the case report.
    - ii. That the owner may retrieve the firearm at headquarters.
    - iii. That if the owner does not retrieve the firearm within six (6) months from the date of notification, the firearm will be presumed abandoned under R.I. General Law.
- 4. Firearms Seized as Found Property
  - a. Officers will take a first report and list the firearm as "found property".
  - b. Every effort will be made to locate the rightful owner of the firearm. The BCI Detective will complete a supplemental report documenting what efforts were made.
    - i. If the owner is identified and located, notification will be made that the owner has six (6) months from the date to claim the firearm or it will be presumed abandoned under R.I. General Law.
    - ii. If an owner is not identified or located, then the firearm will be held for six (6) months and then presumed abandoned.
- 5. Firearms Surrendered to the Police Department

- a. Record the firearm as "in custody-confiscated" in the record management system's property section.
  - b. Firearms Recovery Form.
  - c. Firearms will be disposed of according to department policy.
- vii. Disposition of Forfeited and Abandoned Firearms
  1. Dispose of any firearm forfeited under R.I. General Law according to the instructions of the Attorney General.
  2. Dispose of any firearm forfeited under R.I. General Law as follows:
    - a. If requested by the Chief of Police, a motion will be filed for non-destruction and retention of the firearm by the department
    - b. If the Chief of Police makes no request, the firearm will be destroyed in a manner consistent with the standards of firearm destruction set forth by the Bureau of Alcohol, Tobacco, and Firearms.
  3. Abandoned Firearms
    - a. Any firearm will be held for six (6) months after it was declared abandoned.
    - b. On the six (6) month anniversary, the firearm will be destroyed in a manner consistent with department policy.
  4. Procedures Relating to the Release of Firearms
    - a. The release of any firearm that has been confiscated, seized or forfeited to the custody of the Cranston Police Department shall not be released without the prior consent and authorization of the Chief of Police designee.
- viii. Cash/Valuables
  1. Shall be counted by the impounding officer and a supervisor. The currency/valuables shall be placed in a plastic tamper proof bag, sealed, and properly marked by the impounding officer and the supervisor. The amount contained shall be indicated on the property label and on the Property Form and secured in the Temporary Storage Lockers.
- ix. Seizure of Computer Equipment and Other Electronic Storage Devices.
  1. If the seizure of computer equipment and other devices capable of storing data in electronic format is necessary in the performance of an investigation and if all legal requirements have been fulfilled, investigators should follow the listed procedures to limit the loss of electronic evidence.
  2. Preserve the computer/device area for potential fingerprints.
  3. Immediately restrict access to the computer/device.
  4. Isolate the computer/device from phone lines and/or cable modems to restrict remote access.
  5. If the computer/device is "Off", do not turn it "On".
  6. If the computer/device is "On", and is a Stand-Alone Computer, then:
    - a. Photograph screen, then disconnect all power sources; unplug from wall AND the back of the computer.
    - b. Place evidence tape over each drive slot.
    - c. Photograph/diagram and label back of computer components with existing connections.
    - d. Label all connections/cable ends to allow reassembly as needed.
    - e. If transport is required, then package components and transport/store components as fragile cargo.
    - f. Keep away from magnets, radio transmitters and otherwise hostile environments.
    - g. If the computer is Networked or a Business Computer, then:
      - i. Consult a computer specialist for assistance.
      - ii. Do not attempt to disconnect any part of the computer system as this may severely damage the system, disrupt legitimate business, and/or create liability.



- iii. Additional information and computer specialist may be accessed through the MIS Department, the RI State Police, the U.S. Secret Service, the Federal Bureau of Investigation and/or other law enforcement agencies.

x. Motor Vehicles

1. Dispatch will include a detailed description and the tow location of the vehicle in the IMC tow log.
2. The officer towing the vehicle will assign it, (the vehicle), a PR# and complete a property card for any vehicle that is being towed and held, as it should be considered evidence or seized/held property. If there are keys with the vehicle, they should be assigned a separate PR#.
3. The officer towing the vehicle will include, on the property card, the reason that it is being held at HQ or the City garage.
  - a. i.e. Held for prints, Held for processing, To be searched by/for.
4. The Property card will be placed into designated temporary evidence locker (TL21). , with the keys attached, if there are any. Do not leave the property card with the vehicle.
5. A property label will be completed and kept with the vehicle.
6. The officer towing the vehicle will complete a department vehicle hold form which includes the specific location of the vehicle as well as the PR# assigned. This should also be attached to the Property Card submitted to BCI.
7. The officer towing the vehicle will include the vehicle information in IMC under the property tab.
  - a. Enter the detailed vehicle information under the "Vehicle" tab
  - b. Enter the storage location under the "Case Tracking" tab
  - c. Select either "Police Impound lot", "CPD basement", or "City garage"
8. Release of vehicles being held at HQ will be handled by the BCI Unit. Subjects requesting the return of their vehicles will be required to make an appointment with the BCI Unit.
9. BCI will be responsible for performing a monthly audit of the impound lot and basement of HQ on the first of each month to insure compliance and proper tracking of seized vehicles.

**V. Medication Disposal Program**

- a. The drug collection unit (DCU) shall be located in the lobby of the Cranston Police Department in an area that affords an accessible and anonymous drop-off point to the public on a 24-hour/7 day per week basis.
  - i. Non-sworn members of the department shall neither accept, nor receive into their possession, any items from any entity for disposal into the DCU. When asked about the disposal of medication, all civilian personnel shall inform the general public about their ability to use the DCU in the lobby.
  - ii. Acceptable medications that are physically turned over to any sworn department employee for disposal shall not be deposited into the DCU, but shall be treated as recovered property and handled in accordance with established department procedures governing such property.
  - iii. In order to ensure the safety and security of the DCU, its lobby location shall be continuously monitored by the video surveillance system.
  - iv. The DCU shall be securely locked with a uniquely keyed padlock at all times except when being emptied by authorized personnel.

1. The padlock provided with the DCU shall not be changed without prior written consent of the Detective Division Commander.
2. The duplication of the padlock key is prohibited.
- v. The DCU shall have a sign posted upon it listing both acceptable medications that may be placed inside the unit and unacceptable items that may not be placed inside the unit.
- b. Acceptable and Unacceptable Items
  - i. Acceptable - Prescriptions, prescription patches, prescription medications, prescription ointments, over-the-counter medications, vitamins, medication samples, and pet medications.
  - ii. Unacceptable - Thermometers, hydrogen peroxide, inhalers, aerosol cans, ointments, lotions, liquids, "sharps" (i.e., needles, lancets, syringes, IV's), and any medications or items from entities such as, but not limited to, businesses, pharmacies, and health care providers
- c. Collection and Control
  - i. The DCU shall be the responsibility of the supervisor of the Bureau of Criminal Identification.
    1. The supervisor of BCI and the Detective Division Commander shall possess a copy of the padlock key.
    2. The supervisor of BCI and the Detective Division Commander shall be responsible for the security of the key that is assigned to each unit.
    3. The supervisor of BCI and a detective assigned to BCI shall be responsible for ensuring access cannot be gained into the storage area located within the DCU by affixing the padlock to the DCU after completion of their duties.
  - ii. The BCI Supervisor, or designee, and a second detective assigned to BCI shall be present at all times whenever the DCU is opened.
  - iii. The DCU shall be opened and inspected periodically to ensure that it does not become overfilled.
  - iv. The DCU shall be emptied as needed, but no less than once per month.
  - v. When emptied, the contents of the DCU shall be immediately transferred to the secure property room by the BCI Supervisor or designee and a second detective assigned to BCI.
  - vi. A documented inventory of the contents is not mandatory, but may be performed by the BCI Supervisor or designee and a second detective assigned to BCI.
  - vii. The contents will be bagged, sealed, weighed, bar-coded, and placed in the drug locker located within the secure property room by both parties.
  - viii. The sealed bag containing the contents will be disposed of in accordance with established department guidelines.
  - ix. The BCI Supervisor or designee shall annually initiate and maintain a new DCU incident report with a supplemental narrative being added whenever the DCU is opened or emptied.
  - x. Additionally, whenever the DCU is opened or emptied, a log shall be kept by the BCI Supervisor containing the following information:
    1. Incident number.
    2. Date and time of opening or emptying of the DCU.

3. Identities of the personnel present.
4. Weight of contents (when the DCU is emptied).
5. Property tag number.
6. The BCI Supervisor shall immediately notify the Commander of the Detective Division, in writing, of all activities and reports generated with respect to the DCU.

**VI. Training**

- a. As a mandatory requirement of their probation, all members of the Cranston Police Department BCI will successfully complete Criminal Investigation: Scientific Evidence I & II, hosted by the RI State Crime Lab.
- b. BCI members will make every attempt to remain current with any applicable changes in state laws, the procedures for the collection and preservation of evidence, and the policies of outside agencies, i.e., the RI State Crime Laboratory or the Department of Health.
- c. Members may be required to attend refresher courses and specialized training seminars or schools relating to the collection and preservation of evidence.
- d. The expense for all memberships and dues for any professional organizations dealing with the duties and responsibilities of a Cranston Police Department BCI Detective, such as IAI, NEDIA, RICA, IAPE will be covered by the City of Cranston

**VII. Inspections and Audits**

- a. An audit of the property room will take place when new personnel are transferred in or out of the BCI.
  - i. The purpose of the audit is to ensure the continuity of custody and not to account for every item of property.
  - ii. Any discrepancies found during the audit should be noted before the new officer is assigned
- b. An audit of the property room will take place annually.
  - i. This audit will be conducted by a supervisor, appointed by the Chief of Police, not assigned to the Detective Division.
  - ii. The audit should be a random sampling of property held to satisfy the auditor that policies and procedures are being followed.
- c. An unannounced inspection of the property storage area will take place annually and will be conducted by the Chief of Police or designee.

**VIII. Responsibility**

- a. It is the responsibility of all personnel to familiarize themselves and comply with this order.



Digitally signed by Matthew J. Kite, LP.D.  
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