

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

**I. PURPOSE**

To establish a system for the efficient and orderly handling of property / evidence which comes under the control of the Bay City Department of Public Safety to provide guidelines for the collection, reporting and storage of said property / evidence.

**II. DEFINITIONS**

- A. Contraband is any property that is prohibited by law to own, use or possess.
- B. Evidence is any property that can be used to prove or disprove the commission of a crime.
- C. Found is any property that comes into the custody of the Department, from any source, that is not defined as evidence and for which the true owner is not in possession of.
- D. Safekeeping is any property not defined as evidence that is to be temporarily held pending its return to the rightful owner.
- E. Junk is any property for which the true owner is unknown and has no fair market value or worth.
- F. Impound is the act of any employee of the Department taking into physical custody any form of property, from any source, which will be retained, and controlled, by the Department.
- G. Impound Officer is the employee that seizes any property, enters that property into SRMS and packages that property.
- H. Property Officer is any person assigned to the Identification Bureau who is responsible for logging in and efficiently storing any impounded property so that it may be efficiently located at a later date for examination, transport, legal proceeding or legal disposal.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

- I. Property of Minor Value is any property whose fair market value is less than the total cost of preparing a property report, plus the cost of storage and disposition, and which is not currency, collectible currency, contraband, evidence, hazardous material, junk, perishable property or property of major value. The dollar value has been set as being equal to or less than \$100.00.
- J. Property of Major Value is any property whose fair market value is more than the total cost of preparing a property report, plus the costs of storage and disposition, and which is not currency, collectible currency, contraband, evidence, hazardous material, junk, perishable property or property of minor value.
- K. Storage Media is anything used to store data from electronic devices (i.e. - flash drive, SD card, Hard Drive, etc.).
- L. Electronic Media is any equipment used in the electronic communication process (i.e. - computer hardware, cell phones, video game system, etc.).

**III. APPLICATION**

This General Order constitutes department policy, intended for internal use only, and is not intended to enlarge the employee's civil or criminal liability in anyway.

**IV. SRMS IMPOUND ENTRY PROCEDURES**

- A. All property physically brought into the Department (Impounded), and not immediately returned to the owner, shall be entered into the SRMS system, packaged, labeled, and secured in an approved location.
- B. This includes, but is not limited to, latent fingerprint lifts, blood alcohol kits, buccal swabs, CSC kits, drivers licenses, or any other property that will be retained and under the physical control of the Department and not immediately returned to the owner.
- C. All impounded property shall be entered into the "Property" section of the SRMS system. Officers shall fill in every field for which they have known information to enter.
  - 1. Property - Pick the four digit SRMS code that most closely describes the property.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

2. Status - Choose the status of your property; Evidence, Seized in Drug, Forgery / Counterfeiting, or Gambling Offenses, etc.
3. Manufacture - Fill this in if you can determine a manufacturer.
4. Model - If the property has a model.
5. Serial - If the property has a serial number.
6. Color - If applicable.
7. Description - This line must be filled in. It shall start with the officer's badge number and a letter assignment followed by a hyphen and then a brief description of the property.
  - a. Correct format - An example of the correct format is: "9222 A - suspected marijuana". The next piece of property would be "9222 B - suspected crack pipe". The letter assignment for each successive piece of property would continue through the alphabet.
  - b. Second time through the alphabet - At the end of the alphabet an officer would start at the beginning again and add a number assignment in parentheses with the letter. For example: "9222 A (2) - three blue pills". The number two in parentheses represents the second time through the alphabet.
  - c. Property Destruction - If an officer wants the property to be destroyed then they shall put this information in the description line for that piece of property. Example: "9222 A - (destroy) blue pills".
  - d. VIPER Unit - Employees assigned to the VIPER unit may use the format "9222 A (2) - suspected marijuana" to indicate that the marijuana came out of a plastic baggy that was described as "9222 A - baggy" on a search warrant. If one member of the VIPER unit has to go through the alphabet a second time then they would describe their evidence with multiple letters such as "9222 AA - suspected marijuana".
  - e. Forfeited Property - If the property is subject to forfeiture, the description shall include "(Forfeit)" in the description. For example: "9222 A - (Forfeit) Motorola i680 phone". When adding this in the description line this information will carry through from the report module to the evidence module to the orange evidence label that is printed by the Identification Bureau.
8. Owner - Can be pulled forward from the report if the information was entered under one of the other tabs (suspect, victim, witness, other, etc.).
9. Do not enter any information in the blanks under the blue header of EVIDENCE MANAGEMENT (Any information entered here will not allow the Identification Bureau to catalog the property into the SRMS Property Module).

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

10. Notes - Below the EVIDENCE MANAGEMENT area is the section described as “notes”. An officer can type whatever information he or she needs to about that piece of property in this area. This area does not have character number restrictions. This is a very beneficial area to put further information in as it will be printed out with the rest of that property’s information and can easily be viewed by the Prosecutors Office, a defense attorney, magistrate, judge or officer on the witness stand. Examples of the kind of information to put in this section may be a better property description, a location the property was found (Buck Savage’s right front jeans pocket), information on what to do with the property (If Buck Savage brings in proof of ownership then release it to him).

**V. IMPOUNDING CURRENCY**

- A. All currency and coin money must have a MONIES SEIZED form completed. The original form should be turned into Central Records and a copy must be sealed in the packaging with the currency / coin money.
- B. Two different officers must count the currency / coin money and sign the MONIES SEIZED form.

**VI. RESPONSIBILITY FOR PROPERTY**

- A. The officer that seizes property shall be the “Impound Officer” (for that property) and shall enter the property into the property section of a report in SRMS. Officers will NOT “help” other officers with entering or packaging property.
  1. Example #1 - If officer A and officer B are sent to an assault complaint and they interview the victim and several witnesses and officer B seizes a knife used in the assault then officer B shall transport the knife, package it, label it, and enter it into SRMS.
  2. Example #2 - If officer A and officer B are sent to an assault complaint and interview the victim and several witnesses and officer C arrives and simply looks for evidence and locates and seizes a knife then officer C shall transport the knife, package it, label it, and enter it into SRMS via a supplemental report.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

- B. Exception - If a circumstance arises where the seizing officer can not transport the property that they seized then the transporting officer shall note in a report that they transported the property and how they secured it at the Department. The seizing officer shall still be the officer that packages the property and enters it into SRMS. The transporting officer in this case shall secure the property in a locker and turn the key over to the seizing officer at their earliest opportunity. Unless there is a special circumstance, if you seize it, then you transport it, package it and enter it into SRMS.
- C. Impounding of cash, jewelry, guns and drugs will not be delayed. All property will be impounded prior to the end of the shift, with the following exceptions (except cash, jewelry, guns and drugs):
1. When authorized by a supervisor.
    - a. Employees will provide their supervisor with a verbal or written descriptive inventory of the property.
    - b. The property will be kept in an approved secure location on department property until it can be formally impounded.
  2. The employee is assigned to and / or under the direct supervision of the VIPER Sergeant. These employees shall follow the direction and policies of the VIPER Sergeant for property impounding timelines.
- D. Found property where ownership can be established shall be expeditiously returned to the owner whenever practical and not impounded.
- E. Personal property where ownership is not disputed, when practical, shall be processed and returned to the owner after being photographed. The officer will document the processing and release of property to the owner in the narrative section of their report (Example, A glass jar at a B & E where money was taken out of the jar but the jar was not taken. The jar, when practical, shall be processed at the scene, photographed and returned to the owner).
- F. Personal property where ownership is disputed:
1. Officers may seize and impound property based on probable cause.
  2. Property will be returned when ownership is determined through appropriate legal proceedings or consent of all parties.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

**VII. CHECKING EVIDENCE OUT**

- A. When an officer checks out evidence they shall inform the Property Officer of the reason for checking the item(s) out so the Property Officer can make a note of this in the property module of SRMS (Example: Court, to make a copy, to review with a prosecutor, review for themselves, etc.).
- B. If an officer checks an item of evidence out and then turns this item over to another person they **MUST** complete a supplemental report indicating to whom the item was turned over to as well as the date, time and location it was turned over (Example: Turning a computer tower over to a computer crimes task force officer for digital examination).

**VIII. DISPOSING OF PROPERTY**

Disposition of currency, collectible currency, perishable property and property of major value shall be disposed of in one of the following four ways in accordance with Act 273 of 1987; MCL 434.26:

- A. Return to the owner.
- B. Return to finder.
- C. Retain for law enforcement use.
- D. Sell the property at public sale and deposit the funds into the general fund of the government unit of the law enforcement agency.
- E. Release the property to a “charitable” organization as defined in section 2 of the charitable organizations and solicitations act, Act No. 169 of the Public Acts of 1975 being section 400.272 of the Michigan Compiled Laws.

**IX. RESPONSIBILITY FOR DISPOSING OF PROPERTY**

- A. If the property is found, kept for safekeeping or designated for destruction and is labeled with a blue “property” label it shall be the Property Officers’ responsibility to dispose of the property.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

- B. If the property is evidence, is labeled with a yellow “evidence” label and there have been formal charges issued in the case then the Property Officer shall request authorization to release the property from the Case Detective or send an “Authorization for Release of Property” request to the Prosecutor’s Office or the City Attorney’s Office for authorization to release the property and whom to release it to.
  
- C. If the property is evidence, is labeled with a yellow “evidence” label, is assigned to a Case Detective and no formal charges have been issued then the Property Officer shall request authorization to release the property, and to whom, from the Case Detective.
  
- D. If the property is evidence, labeled with a yellow “evidence” label, and there are no formal charges and no Case Detective assigned then the Property Officer shall request authorization to release the property, and to whom, from the officer that did the original report for the case. The original officer shall be responsible for the disposition of all property for the case.

**X. LAB REQUESTS**

- A. When officers request that property go to the MSP crime lab for processing, they shall complete a current lab request form.
  - 1. Officers shall fill in all known information on the form.
  - 2. If it is requested that different types of processing be done on one item then you may “check” two different boxes in the “Type of Examinations(s) Requested” area. Example: A pop can being sent for latent prints as well as having the top swabbed for possible DNA.
  - 3. If there are multiple items for which some are going for one type of testing and others are going for a different type of testing then two separate lab requests shall be filled out. Example: Suspected marijuana is going to the drug unit and the baggy that contained the marijuana is going to the latent print unit.
  - 4. If you have a suspect in your case then the officer shall run the suspect’s CCH and include the SID number in the appropriate box on the lab request form.
  - 5. Officers must give an item description in the “Comment” section of the lab request. Example: “9222 A - suspected marijuana - test for drugs” or “9222 B - three white pills - test for suspected vicodin”.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

6. If a pill(s) is being sent to the lab for identification and the officer has an idea of what the pill might be then include that information in the comment section.
  7. For property being sent for DNA processing, and only DNA processing, the second page of the lab request form must be filled out.
    - a. In the ITEM OF EVIDENCE box, describe the property just like you would in the description line in the property section of your report. Example: "9222 A - CSC kit".
    - b. In the DETAILS box you have to answer each question under "Examples". Example: "9222 A - baggy containing suspected marijuana. Found in the street on the same path the suspect fled after an officer witnessed what appeared to be a drug deal".
    - c. The crime lab now has legal requirements that need to be met in order to do DNA profiling and comparing that profile to a known sample or checking it against the CODIS data base.
- B. Officers shall turn the original lab request form into Central Records and place a copy with the property in an approved secure location.

**XI. BIOHAZARDOUS DRYING CABINET**

- A. If an officer seizes property (usually some cloth material) that is wet with a sizable amount of blood or other body fluid, then the property shall be hung in the forensic drying cabinet in the drying room.
- B. If the clothing only has a few drops of blood or other fluid on it then it will dry just as easily if you place it in a paper sack with the fluid spotted area facing the top of the bag (not balled up in the middle of the material).
- C. The key for the drying room is kept in the key box at the command desk.
- D. An officer, when possible, shall hang multiple items on separate hangers. Shoes and other objects not suitable for hanging can be placed on the shelves on the left side of the cabinet. Do not place ANYTHING on the floor of the cabinet.
- E. After all of the property items have been placed in the cabinet, simply shut and secure the doors and turn on the drying cabinet using the green power switch that is located on the top exterior side of the cabinet.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

- F. Yellow evidence labels or blue property labels shall be filled out completely and set on the counter in the drying room.
- G. An officer may keep the drying room key during his / her shift while they are working on the report and / or property. Before leaving at the end of the shift the officer must drop the key in the key drop box in the evidence intake room. **DO NOT** put the key back in the key box at the command desk. By placing the key in the key drop box in evidence intake you are turning the drying room into a large secure evidence locker.
- H. **NEVER** under any circumstances put clothing, or any other articles, from two different cases in the drying cabinet at one time. The possibility for cross contamination is too great and will render whatever analysis result the crime lab might have useless in court.
- I. The possibility of cross contamination shall be considered before placing items from the same case in the drying cabinet at the same time. Example: Placing the victim's clothing and the suspect's clothing in the cabinet at the same time.
- J. If the drying cabinet has items in it, and they are dry, and there is a need to put other items in the drying cabinet, then an Identification Officer will need to be called in to remove the current items and clean the cabinet before additional items can be placed inside.

**XII. DEPARTMENT DIGITAL PHOTOGRAPHS**

- A. All policy references to "photographs" in this section will refer to photographic images taken by authorized department cameras by employees of the Department. Photographs obtained from other sources such as victims or witnesses shall be treated like any other "property" in a case (i.e. impounded, packaged and entered into SRMS).
- B. Photographs may be submitted in one of the following two ways:
  - 1. An officer can put their camera CF / SD card in a film envelope and place it in the film envelope drop box in the squad room or in the mail slot in the Identification Bureau door (not the plastic mail holder taped to the door).

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

2. An officer can upload their photographs by using the card reader that is installed in the PC in the squad room and utilizing the “Picasa” program. The destination folder (for the photographs) in Picasa shall be the PHOTO BURN folder on the I/drive. When an officer uploads their photographs, Picasa will ask you to name your photograph folder. The format for naming your photograph folder shall be the last two digits of the year of the complaint, a hyphen, a five digit complaint number, a space and the officer’s last name that took the photographs. An example would be “12-01234 Smith”. Officers choosing to upload their own photographs shall format the CF / SD card as soon as they put it back in the camera. This will delete the old pictures and get the card ready for the next complaint.
  
- C. Officers shall fill out a film envelope for each case that they submit photographs for. The information shall be filled out completely including the complaint number, the location, the date, time and who took the photographs. In the picture description area of the envelope it is not necessary to list every photograph. The general description of the photographs must be sufficient enough that someone that is not familiar with the case can easily tell that the visual images match the description on the envelope for that case. Envelopes shall be completed regardless if the photo card is turned in or the officer uploads the images to the PHOTO BURN folder themselves.
  
- D. An officer can turn in a CF / SD camera card with photographs from more than one case on it. The officer must fill out a separate envelope for each case and the descriptions of the photographs on the envelopes must be sufficient enough that someone not familiar with the case can easily tell which photographs on the card go with which case (envelope). All of the case film envelopes shall be stapled together with the SD card in one of them.
  
- E. Employees of the department SHALL NOT under any circumstances release department photographs to the public, the media, other law enforcement agencies or other governmental agencies that are not directly involved with the investigation that relates to said photographs with the following exceptions:
  1. The photograph is that of a suspect and needs to be disseminated to other law enforcement agencies to aide in the suspect’s apprehension.
  2. The photographs are used to fulfill the legal requirements of a F.O.I.A. request.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

3. Photographs may be released to other agencies for training purposes with the permission of the Public Safety Director.
  
- F. All photographs taken by officers of crime scenes, traffic crashes, victims etc. must be impounded as evidence and not kept for personal use. This prohibition includes photographs taken with personal photography equipment.
  
- G. Officers will not be required to take photographs with them to court proceedings. The Prosecutor's Office and / or the City Attorney's Office can request a photograph CD prior to the actual court date.

**XIII. DIGITAL EVIDENCE**

- A. Primary considerations for all types of electronic media.
  1. Officer safety - secure the scene and make it safe.
  2. If you reasonably believe that the computer is involved in the crime you are investigating, take immediate steps to preserve the evidence.
  3. Determine if you have a legal basis to seize this computer (plain view, search warrant, consent, etc.).
  4. Do not access any computer files. If the computer is off, leave it off. If it is on, do not start searching through the computer.
  5. If the computer is on, go to the appropriate sections in this policy on how to properly shut down the computer and prepare it for transportation as evidence.
  6. If you reasonably believe that the computer is destroying evidence, immediately shut down the computer by pulling the power cord from the back of the computer.
  7. If a camera is available, and the computer is on, take pictures of the computer screen. If the computer is off, take pictures of the computer, the location of the computer and any electronic media attached.
  8. Determine if special legal considerations apply (doctor, attorney, clergy, psychiatrist, newspapers, publishers, etc.).
  
- B. Home Personal Computer
  1. Unplug the power to the router or modem.
  2. Do not use the computer or attempt to search for evidence.
  3. Photograph the computer front and back as well as cords and connected devices as found. Photograph the surrounding area prior to moving any evidence.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

4. If computer is off, do not turn it on.
5. If computer is on and something is displayed on the monitor, photograph the screen.
6. If computer is on and the screen is blank, move the mouse or press the space bar (this will display the active image on the screen). After the image appears, photograph the screen.
7. Unplug the power cord from back of the tower.
8. Diagram and label the cords to later identify connected devices.
9. Disconnect all cords and devices from the tower.
10. Package the components (including the router and modem) and transport / store the components as fragile cargo.
11. Seize additional storage media (see storage media section).
12. Keep all media, including the tower, away from magnets, radio transmitters and other potentially damaging elements.
13. Collect instruction manuals, documentation and notes.
14. Document all steps involved in the seizure of a computer and its components.

**C. Network Server / Business Network**

1. Consult a computer specialist for further assistance.
2. Secure the scene and do not let anyone touch anything except personnel trained to handle network systems.
3. Pulling the plug could:
  - a. Severely damage the system.
  - b. Disrupt legitimate business.
  - c. Create officer and department liability.

**D. Storage Media**

1. Collect instruction manuals, documentation and notes.
2. Document all steps involved in the seizure of storage media.
3. Keep it away from magnets, radio transmitters and other potentially damaging elements.

**E. PDA, Cell Phone, and Digital Cameras**

1. If the device is off, do not turn it on.
2. With PDAs or cell phones, if the device is on, leave it on. Powering down the device could enable the password, thus preventing access to evidence.
3. Photograph the device and screen display (if available).
4. Label and collect all cables (to include power supply) and transport with the device.

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.12

**EVIDENCE IMPOUNDING PROCEDURES / POLICIES**

5. Keep the device charged.
6. If the device cannot be kept charged, analysis by a specialist must be completed prior to battery discharge or data may be lost.
7. Seize additional storage media (memory sticks, compact flash, etc.).
8. Document all steps involved in the seizure of the device and its components.

By order of:

  
Michael J. Cecchini  
Public Safety Director