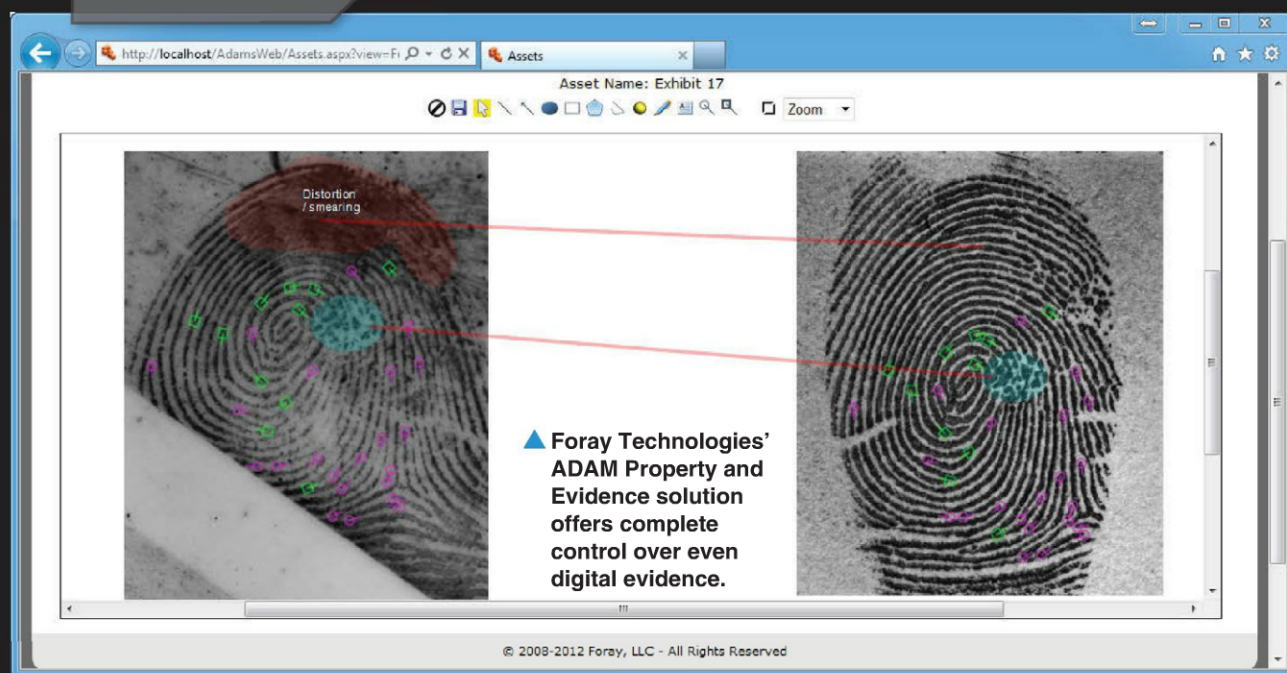


► SUMMARY

Effective management of evidence is an integral part of any criminal investigation. Failure to properly collect, handle, and store evidence can lead to inadmissibility once a case is prosecuted. To ensure an unaltered chain of custody, agencies must establish policies and procedures and follow best practices.

► MORE INFORMATION

www.iape.org
www.calea.org
www.sirchie.com
www.evidenceonq.com
www.foray.com



LESSONS LEARNED IN EVIDENCE MANAGEMENT

PURGE TO ELIMINATE OVER-CROWDING.

► By Susan Geoghegan

W

hile the proper collection and handling of evidence collected at a crime scene are the first critical steps in the process, a well-managed evidence room ensures its continued protection and maintenance. Training, certification, and accreditation programs help agencies to establish professional standards and strengthen accountability. In addition, the use of bar-coding systems and evidence tracking software provide enhanced evidence management for greater control.

CALEA and IAPE

The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA®) was created in 1979 as a credentialing authority through the joint efforts of the International Association of Chiefs of Police (IACP), the National Organization of Black Law Enforcement Executives (NOBLE), the National Sheriffs' Association (NSA), and the Police Executive Research Forum (PERF).

Through the CALEA Accreditation Program, public safety agencies can voluntarily demonstrate their ability to meet an established set of professional standards.

CALEA Standards for Law Enforcement Agencies Chapter 84, Property and Evidence Control, sets guidelines for the effective management of evidential property, covering administration and operation, secured storage and inspections, and final disposition. Vince Dauro, Southeast Regional Program Director for CALEA, said the standards cover all facets of evidence collection and handling, mandating the implementation of written procedures and training to effectively safeguard the evidence integrity.

The International Association for Property and Evidence, Inc. (IAPE) is the largest property and evidence industry organization in the world, providing its members with access to numerous manuals, guides, and related information. IAPE also conducts a live 16-hour property and evidence management class throughout the U.S. and Canada, which is also available in streaming video for agencies that do not have the

resources to fund training-related travel.

Membership and certification is for individuals only, who must meet certain requirements. Those who fall outside the requirements can still obtain an associate membership. To advance the scope of knowledge and enhancing professionalism within the field of property and evidence management, the IAPE has adopted comprehensive professional standards in a number of important property and evidence handling procedures.

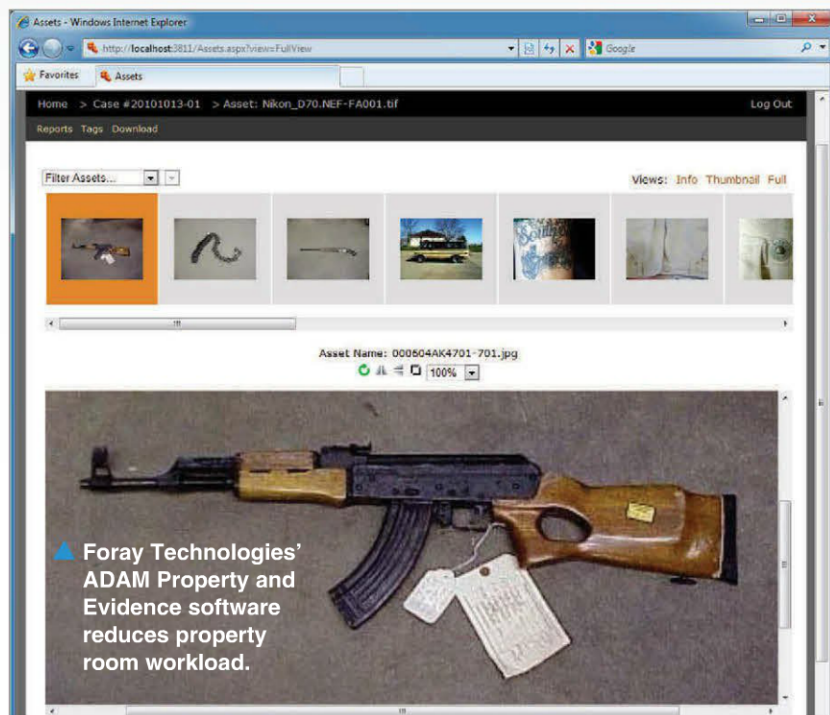
The IAPE Professional Standards consist of 15 sections that cover staffing, packaging, policies and procedures, storage, disposition, and internal controls. Adhering to these standards should assure any agency that reasonable steps have been taken to obtain a secure and efficient property and evidence management system.

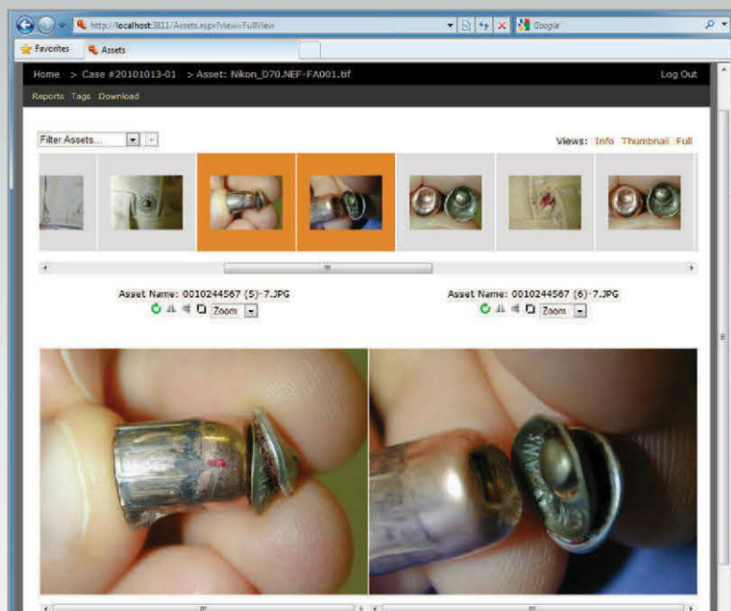
Effective Evidence Room Management

For many agencies, evidence management is an onerous task, due mainly to lack of training and inadequate collection and tracking methods. IAPE Past-President Robert Giles finds that the most dysfunctional evidence rooms are those that are over-crowded due to failure to purge in a timely fashion.

"Most evidence rooms have about 70 percent misdemeanor evidence that can generally be purged after the statute of limitations has expired—about one year in most states," Giles said. "This means that we frequently don't need new evidence rooms, just better organization—including mobile shelves and uniform size packaging. Also a lack of enforceable policies and procedures really hurts many agencies."

Sirchie®, a comprehensive manufacturer and distributor of crime scene investigation and forensic-evidence collection supplies, offers an Evidence Collection Accelerated Training Program for law enforcement agencies. With hands-on training and limited class sizes, it covers the scientific methods of collection, identification, evaluation, and preservation of physical evidence. According to Global Marketing Manager Andrew Mariella, Sirchie training focuses on best practices to effectively preserve and manage the integ-





▲ Foray Technologies' ADAM Property and Evidence software keeps a tight chain of custody.

ality of physical evidence.

In addition to training in the use of proper techniques, advanced bar coding and evidence management software allows agencies to more efficiently track and manage evidence throughout an investigation. As Giles pointed out, barcoding is not a new technology, dating back to the 1950s.

"What is new are software programs that not only track evidence, but actually help manage it and provide notices when it's possible to purge. We are trying to get the word out to replace the programs that are not functional, and go to stand-alone programs that actually meet the needs of managing the evidence room."

Giles believes that stand-alone evidence management software that fully documents and tracks an item of evidence from point of submission into the evidence room until the time it is disposed of, is only part of the equation. "Appropriate software management also informs the user when an item has been checked out of the evidence room in excess of a pre-established time period, or when it is a candidate for purging due to the statute of limitations having expired. The timely purging of evidence is one of the most important functions that well-designed evidence management software can assist with."

Foray Technologies' ADAMS Property and Evidence solution (P&E) provides complete control over collection, storage and management of evidence gathered at crime scenes. Offering highly configurable screens and reports, ADAMS P&E allows users to streamline evidence processing, reduce redundant data entry, increase efficiency, and improve check-in response time. Using barcode bag-and-tag at the crime scene, and rigorous check-in and check-out processes, chain of custody is controlled from the time evidence is collected to laboratory analysis to its day in court and final disposition.



▲ EvidenceOnQ in use by McMinnville, Ore. Police.

Mont Rothstein, VP of Product Development for Foray, said that ADAMS P&E eliminates the need to store physical media with images, audio, and video by providing a secure repository for digital evidence. "By making it easy to find and dispose of property, Foray ADAMS helps minimize an agency's storage space requirements. The system also allows evidence collection officers to enter their own property items.

This, coupled with a tight chain-of-custody, reduces the workload in the property room," Rothstein added.

EvidenceOnQ™, the property and evidence management solution from FileOnQ, Inc.™, allows local and state agencies to effectively manage, maintain, and track property and evidence from the crime scene to the courtroom. With EvidenceOnQ, agencies can generate any report in the exact format required, regularly perform inventories and audits, and reduce repetitive and error-prone manual tasks while increasing overall efficiency. Easy to use and fully customizable, the software automatically creates, stores, and updates a complete and unalterable audit trail.

Prior to implementing the EvidenceOnQ solution in 2008, the Sonoma County (Calif.) Sheriff's Office was using a labor-intensive, inefficient manual system to manage its evidence. Evidence reports were difficult to find, and evidence was in a constant state of flux—checked out for court cases or sent to a lab—making it difficult to pinpoint its exact location. The immediate benefits of EvidenceOnQ included a more reliable chain of custody, quickly generated reports, and a significant savings of time.

Evidence technician Helga Ritter, a 25-year veteran in the Sheriff's Office property room, said processing big cases with numerous items of evidence used to be a nightmare. Under the manual system, every item would have to be labeled by hand, written down on paper, and filed. "Now when a case comes in, it's already in the computer, and the deputy enters the evidence information into EvidenceOnQ. All we do is change the locations," Ritter explained.

Dauro states that if an agency sets up its evidence storage facilities properly, the barcoding interface can greatly enhance the tracking capabilities for the evidence custodian, while cutting down on the time it takes to locate an individual piece of evidence when needed. "This system can also notify personnel



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▲ EvidenceOnQ in use by Burbank, Calif. Police.

▲ EvidenceOnQ in use by Sonoma County, Calif. Sheriff.



when statutory requirements for evidence retention have been reached, allowing the disposal process to move much more expeditiously," Dauro added.

Both Dauro and Mariella recognize the importance of keeping current with these new technologies. "As we move further into the electronic era, there are always new types of equipment being used in criminal enterprise. If an agency does not train their personnel to handle this type of equipment, valuable evidence can be destroyed instantaneously," Dauro stated.

Sirchie as well continues to address new technologies as they are developed. "Recent additions to topics include the handling of mobile phones and other digital devices for the preservation and investigation of digital evidence, best practices for DNA collection and prevention of contamination of crime scenes, and technologies for latent print examination and documentation," Mariella said.

Lessons Learned

Agencies that fail to properly manage and oversee the evidence room leave themselves open to public criticism in the media, often resulting in lawsuits and changes in leadership. The Asheville, N.C. Police Department is one example of what can happen if agencies fail to follow these standards. In 2011, the North Carolina State Bureau of Investigation initiated an investigation after key items were missing from the department's evidence room.

When the SBI closed down the evidence

room, an independent audit revealed a room in complete disarray, resulting in the resignation of then-Police Chief Bill Hogan. In March 2013, William Ledessie Smith III, a civilian employed for over 20 years as the department's property evidence room technician, pleaded guilty to taking between \$10,000 and \$30,000 in drugs.

In the wake of the scandal, APD's new Police Chief William Anderson announced the hiring of Tim Scapin, an 11-year veteran of the evidence room, to revamp the operation by implementing new policies and procedures. The new evidence room is now staffed by one sworn officer with the rest being non-sworn, and has been well-run with no significant issues arising.

Scapin points out that management of the APD evidence room is a joint effort, starting with an organized front office staff, and continuing with support from the City Manager's Office and City Council. The department also maintains a partnership with the District Attorney's Office, which assists in facilitating the disposal of items related to adjudicated court cases when allowed by law.

CALEA accredited, the agency adheres to the schedule published by CALEA for conducting audits and surpasses their requirements. At least six audits are performed each calendar year, conducted by assigned agency members with the rank of Sergeant or above. "These members are not directly assigned to the evidence section. An agency member from outside our section generates a random sampling of items to audit. This list is provided

to evidence staff a short time before the audit begins."

"We assist in the process, with the outside member physically examining the items and documenting their findings," Scapin said. The final reports are forwarded to the District Attorney's Office for review and, to assist in creating an environment of transparency, copies are often provided to local media outlets upon request.

Scapin found that in order to change the fundamental aspects of the operation, they had to start with changing the culture. The statement, "Well it's been done this way for years," did not comply with the agency's plan to learn from the past and apply new policies for the future. "On many issues we took a step back and looked at how we operate. This process led us to change some facets of the system," Scapin explained.

These changes included shifting to a more sensitive and tamper-resistant evidence tape, using clear narcotics bags, and authoring a comprehensive set of policies. "The ability to positively react to fluid situations helps as well. Fostering change brings a constant state of flux in which you must be able to adapt, all while keeping the team rowing in the same direction."

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