

12 Steps for Evidence Success



Introduction

Today's evidence custodian may feel like the lone contestant in a tag team wrestling match. He may have to fight the prosecution, state and federal laws, OSHA and insurance companies to dispose of evidence. The evidence manager seemingly has both decreasing shelf space and manpower to fight this escalating battle. The prospects of disposal and coping with the onslaught of more items in a confined space can be exasperated by his duty to obey doctrines that can be counterproductive.

Hard Realities

Three hard realities face evidence management today. The first is less than 3% of evidence is used in prosecution. In a survey of hundreds of agencies nationwide less than 3% of evidence ever leaves the evidence locker for examination or submission to court. In this same survey one in four evidence custodians had ever seen the chain of custody challenged in court or had ever been asked to provide actual signatures in chain of custody challenges!

The second reality is the demand on the average evidence room grows at a compounded, geometric rate of 24% per year. The average evidence room is bringing in 24% more evidence each year than is being disposed. If a department takes in 100 items of evidence on year one and only disposes of 76, in three years the number of items will almost double to 190. At the end of six years the items will have almost quadrupled to 363 and at the end of year ten the items will be almost nine times higher at 859. Calculate your own growth figures with the formula, $(1 + (1 - r))^n$ raised to the power of the number of years where r is the percentage disposed per year.

The third reality is jurors are learning to doubt police integrity through media exposure of rogue cops. Jurors are less inclined to trust the stewardship of evidence due to media scandal.

Evidence may be the last "black hole" in the law enforcement industry. The traditional operating philosophy has been to hold evidence prisoner and to use mountains of paperwork and steel bars to prevent escape. This "jailer" method of property control has its roots in the saying "when the only tool in your toolbox is a hammer, most problems tend to look like nails."

Evidence management is difficult enough with all of the legal and environmental restraints placed upon it. Don't make it any worse than it has to be. In this brochure we describe a **12 Step process for Evidence Success** that will provide major improvements to your department. If you have the patience to follow these 12 steps in the order described you will certainly save valuable time and promote increased evidence disposal. By harnessing the power of automation you will be able to pull more items through this gauntlet of regulations.

1. Location Strategy

A smart location strategy saves time when retrieving evidence. This sounds like common sense and all departments have some type of location strategy but the secret is to use the most practical, easy to understand method. The fastest retrieval speed for finding items of inventory is to create a separate location for each piece of property. If this were possible the computer would tell you the precise location to retrieve this single evidence item. The problem with this method is that it is expensive and an extremely inefficient use of space. You would be using most of the space available for shelving and little for evidence. The practical application of this idea is to have as many manageable locations as practical. If you currently have several very large shelf spaces, try to separate them

into quadrants of some sort. As an example you might label a very long shelf (Ex: = No.123) into four new locations (123A through 123D) to differentiate areas. When retrieving items from these locations only a partial search through this shelf area is required.

If the property officer is graced with a new property room the simplest location strategy is always the best. If you observe location strategies about you from the world map to the seats at your favorite ballpark, the simplest location scheme is X units left or right and Y units up and down. The Cartesian world coordinate system uses X for longitude and Y for latitude. Consequently to any language or person in the world, a point, or location is definable. Theaters and public stadiums utilize these common sense principles in seating so many people, (many of them newcomers) to so many unique locations (or seats) in the least possible time.

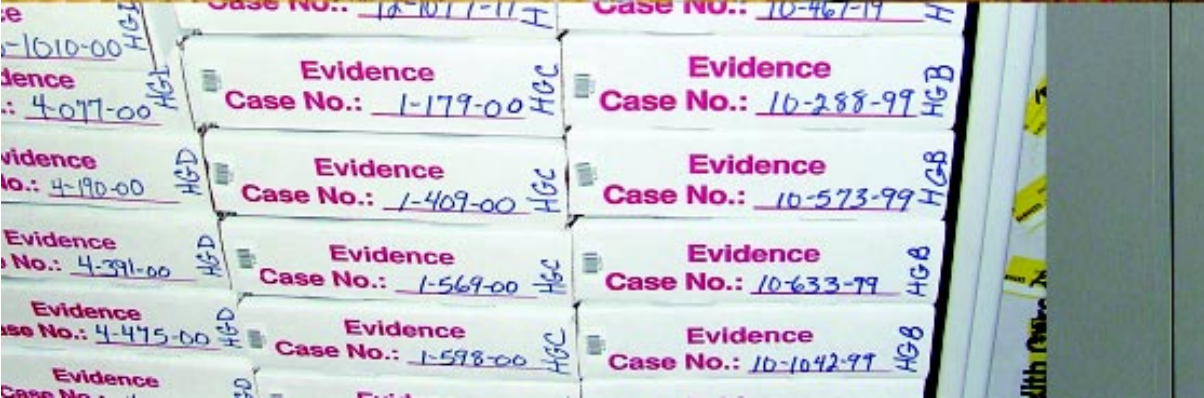
The practical application for the property officer is to use numbers to represent the X coordinates or rows, and letters to represent the Y coordinates or shelves. Using this method allows unlimited location names for the rows. Rarely will a row have more than 26 shelves (or horizontal surfaces) and can always be represented by the letters of the alphabet. Most departments will number the rows from the main entrance and make row 1 the first row on the left coming in the door. Making it the first on the left or right doesn't matter, what does matter is consistency. This method is superior to numbering the shelves. When a department prints out sequential numbers for all of the shelves up and down the rows, the eye has to keep scanning up and down. An example of this frustration is looking for a book at the library. As you start to do a deep knee bend as your eye follows the number search to the bottom right hand corner and then you must stand up to find your book on the top of the next shelf. This is good aerobic exercise but increases retrieval time. If you know the letter of the row you will only have to do deep knee bends when necessary!

When a new property room is built or rented (which is eventually always the case) the first row coming in the door will get the next highest number of where you left off in the numbering sequence of your old property room. This strategy works well with very large departments where there are many supplemental property rooms or substations. In agencies with multiple property warehouses users can easily realize what warehouse to enter based on the row number. Distinct rows should cater to similar categories when possible. Similar items typically share the same packaging strategy and can be most efficiently stored together. For example, all long gun boxes should be within a range of rows as should all narcotics 9*12 envelopes.

By having this definite row/shelf strategy it is no longer necessary to keep all items associated with the same case in the same physical location. Poorly run evidence rooms will leave a space on the shelf for items that should eventually return from court. This is done with the presumption that the only way to find an item is to have all items for the same case in the same location. Leaving a space for an item presumed to return is not necessary if you understand your location management strategy. When items for this case are returned they can be put anywhere space permits as long as the location is recorded. By not reserving space for the anticipated item's return, valuable shelf space is more efficiently managed.

2. Simplify paperwork

Most property rooms throughout the country have created their own forms for receiving property. Most of the forms currently being used were designed many years ago and have never been changed because of



the perceived magnitude of the project. Some of the fields and boxes on these forms cannot be explained and are never used. Often times copies of these multi-part forms are just thrown away, either officially or unofficially. The attitude of many is that the more pages of paper you have to track an item the less chance of that item being lost! This idea is counter-productive. People fail to realize that as an item of evidence ages the accuracy of information on the original property report becomes increasingly obsolete.

The following is an explanation of what a property report should contain and what copies are needed to fulfill the functional requirements of a modern police department.

The case number field is always on a property report. Some departments will leave it blank as the dispatch system needs time to calculate what case number should be assigned. In this case property personnel must wait in "limbo" before they can formally accept property. Most departments have a number that looks like 03-12345 where 03 is obviously the year (2003) and there have been 12345 cases reported since the beginning of the year.

The next field is the officer's name and I.D. number who took this report. There is always a suspect name and owner/victim field that is filled out (only if known) when the report is taken.

There is a field for the type of offense(s) that gives a rough estimate of how long you expect to keep the property in custody. Sometimes the officer will be asked to check a box on the report showing the severity of crime such as misdemeanor or felony. For people not familiar with penal codes this describes the minimal retention time expected. There should be check boxes describing if these items are evidence or to be held as safekeeping or found.

Beware of Dinosaur footprints!

Some departments will assign an additional number for each property report brought in. This is a remnant that was started in the old days before central dispatching when a new unique case number could not be retrieved from dispatch in a matter of seconds. This number is separate from the case number or 'property number' and is often pre-printed on all property forms. The thought here is that this pre-printed number will control for the event of any property reports being lost or stolen. If this did happen someone in property would notice a number out of sequence and trace it down to the officer assigned that book of numbers and ask what happened to the missing report? This is a ridiculous concept as it spends much energy to chase down blank property reports. This historical remnant was thought one time to prevent an officer from taking in property from a scene and then forgetting to book it into evidence.

The remaining fields of the 'Property Report' record each item number accompanied by its description and the location where it was retrieved. One problem common to many departments is that the same item number is repeated many times. It is common in a larger case to have several "page one, item one's". This is obviously because several officers have gathered their own evidence and to them it is "page one, item one"!

This problem is solved by uniquely prefacing each item number with a unique pre-printed barcode. This causes every property line item in the department to have its own unique identity, or **inventory** number. Creation of a unique inventory number allows you to utilize the power of the computer to manage your evidence.

Most departments will have a three-part property report. These reports are usually made of NCR paper and each copy is a different color. The first copy of the report will stay in Property. This copy will be stored in a filing cabinet in case number order and kept for the lifetime of the property.

The second copy will usually be sent to records and included in the case file. This copy will never be used but serves as a backup in case the original copy is lost or damaged. Obviously, for the copy in Property to be destroyed there must be a catastrophic incident such as a flood or fire, and if this is the case (such as one customer had), there is no evidence left to worry about! What makes the case file copy even more useless is that over time line items will be broken up into separate packages and others disposed. It is

certain that no one will ever go back to records and update their copy. Over time this document loses credibility. The third copy will be used only if a receipt is required such as in the case of a search warrant.

3. Create packaging strategy

The hard reality of packaging is that the most efficient packaging strategies cost the most. Most agencies find a packaging compromise based on their available budget. Wealthy departments usually focus on high tech movable shelving while less funded agencies rely on the best packaging they can afford. Try to concentrate on a few good packaging strategies because volume affords you better quantity pricing. Secondly, fewer choices increase the chances that the booking officers will utilize the best package for each application.

Plastic bags are expensive but allow users to view the contents without opening. This "look but not touch" advantage promotes evidence integrity and shields the users from any environmental concerns. Paper bags are the cheapest and work well for items with any moisture content. Another advantage of bags is that they can be more closely packed on shelves than boxes.

Agencies with large metal shelves with wide rows should consider filing these with evenly spaced boxes. Retrieval time is increased when you must search a large shelf for one evidence item. Organizing the shelf with evenly spaced boxes will create a more manageable location strategy. Now, instead of surveying an entire shelf for an evidence item you will be directed to a specific box.

Wise agencies put cash into an interest bearing bank account and only keep money with evidentiary value. Odd shaped items such as car doors and toilet seats are considered to be "eccentric" items and should be stored in the less traveled areas of the evidence room. Many times these eccentric items can be put into a less secure auxiliary storage area.

Ongoing cases that appear solvable are considered "hot" and older cases with less activity are considered "cold". Whenever possible it is wise to keep the items for hot cases in more prominent locations. Often times it is wise to include many items of cold evidence into one package. This is because there is little chance of having to retrieve them and this combined package takes up less space than many smaller ones. Drugs, gun and money should be stored in the most prominent locations for security and rapid retrieval and should never be graded by their hot or cold status.

Many agencies use 9 by 12 envelopes whenever possible. These can be stored efficiently on a wide variety of shelves and lend themselves to easy storage and retrieval.

Long guns are often put in large barrels when shelf space is not available. When it is they can be closely packed using "gun bags" but stack more neatly using gun boxes. Handguns fit closely into this same profile.

4. Define the Box

Evidence managers must clearly understand the boundaries of their responsibility? When does an evidence item go into their jurisdiction and when does it come out? This concept must be understood to keep a credible chain of custody and know who is required to sign for evidence transactions.

The first step is to create a secure physical area where only authorized people have access to the evidence locker. This area must always be secure and there should be a sign-in sheet for any visitors. The only people with keys to this room should be the head administrator (Chief or Sheriff) and evidence personnel. The property room must never be a social meeting place where people spend time to catch up on the current events. Management must insure that everyone knows the rules and that they are always observed. There should never exist a situation where someone will be forced to compromise security so that a friendship or social relationship won't be strained.



There should be a designated area for the public or department employees to transact evidence. Usually there is a locked half door or counter arrangement of some type. There should be a generous amount of surface space to display and transact items. The counter should be built so that outside people cannot view what resides in the property room.

New evidence should always be deposited by the officer into a sealed locker system so that once the door is closed the only person able to retrieve the items are evidence personnel. The most common method is to use metal lockers with various size boxes. The keys are left in the lockers when items are deposited. In this type of operation the property people have their own set of keys to retrieve deposited evidence.

The greatest improvement an evidence technician can realize is to understand the importance of auditing the description of new evidence as it arrives. How else can one presume to know what's inside their box unless they know what comes in and what goes out? When the evidence technician audits packages and describes each item of evidence they are able to better testify towards the integrity of their information. The second advantage is that shelf space is best utilized by auditing that the smartest package is being used for each item. Packages are only changed if inefficient and never opened for items that are environmentally unsafe such as syringes.

The concept of "box" is used to explain the logical area for which the evidence organization is responsible. Often there are many physical places where this "logical box" extends such as the crime lab, substations or trips to court. The simple and easily workable rule is that any time an item passes out of this logical box it is recorded in the chain-of-custody.

There is often ambiguity about what is inside or outside the responsibility of evidence. Take the example of a court liaison officer who checks out evidence and takes it to court. Is it required that the actual court employee receiving the items be part of the chain of custody? The answer is no. The last chain of custody transaction for this item of evidence will show it being checked out to the court officer. Once inside the court's "box" it is their responsibility. To prove this point when have you ever seen the clerk of the court called to testify about evidence?

5. Categorize Evidence & Events

We all know that a computer is capable of collecting huge amounts of information. We have all seen instances where too much information is completely useless. The secret to utilizing information is to categorize it so we can see important patterns to help us make decisions. Another way to express this idea might be that "the questions you ask determine the answers you find". Once information is categorized it can then be summarized to present incisive reports and letters to officers, owners and courts.

There are three category schemes required to make useful management decisions. The first category is incident. Incidents categories are intended to organize the severity of the crime responsible for this case. The idea here is that less severe crimes should move evidence out into a disposal strategy (destroy, auction, etc.) sooner than more severe crimes. Understanding the nature of the case that originated evidence helps to spot items that are staying excessively long.

The second category determines the general nature of each piece of evidence. Examples are narcotics, cash and long guns. The category you choose for an item will effect decisions such as where should it be stored and in what type of package? It also will determine how often it should be



inventoried based on the sensitivity of this category. For example, cash and narcotics are audited most frequently. Often times management will want to provide statistics to justice officials and the press about the aggregate number of certain categories of items being taken into evidence.

The third category describes all of the various legitimate reasons that an item of evidence can be transacted. Transactions are used to provide an envelope of integrity for certain types of evidence movement that may be scrutinized in the future. Every transaction declares the responsible parties involved and the items and date/times. We are all familiar with transactions such as "out to court". There are also transactions where we put items into a "holding pattern" to await their eventual disposal. Examples of these are "flag narcotics" or "flag weapons". When the items are then destroyed the transaction will describe the method such as "narcotics destroy" or "weapons destroy".

6. Start Evidence Tracker

Once you have planted your foundation with the first five steps you are ready to automate your operation. Evidence Tracker will now save you much time performing your required tasks so you will have time to start focusing on disposal of unneeded items.

On the day you start using Evidence Tracker write the first case number for that day in a prominent place on the wall. From now on, any case greater than that number will be viewed upon Evidence Tracker with the older numbers being in the filing cabinet. Simply go forward and start booking in all of your evidence this way.

The arresting officers will not have to make any changes to their normal routine of booking evidence. The evidence technician will take two durable labels from the provided label dispenser for each evidence package. One label is stuck next to the description of the evidence on the property report. The evidence package receives a case number and the second barcode label.

The portable barcode reader is be used to scan in all information pertinent to each case and item. Barcode nouns can be printed to describe any location, name or evidence description so hand entry is rarely required. Instead, all answers will be scanned from existing barcodes.

The barcode reader will allow you to quickly scan a shelf location and then the items being stored there. No longer will you declare item locations on the original property report. Now you will start using your shelf space more intelligently by putting items away where they best fit! Imagine being able to pack a shelf down to make space or move an entire group of items to better organize a shelf. In the same manner inventories can be regularly performed to refresh locations and spot potentially misplaced items.

When performing chain of custody transactions, the barcode unit will collect the names of all parties involved as well as the transaction category and automatically date/time stamp the event. This procedure along with your central signature log will make your morning issues to court fast and reliable.

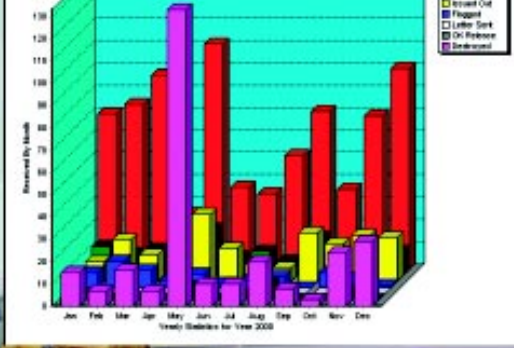
Evidence Tracker's friendly screens will quickly answer any of your evidence questions either by viewing a screen or printing a report. You will quickly appreciate learning new ways to use this immediate information.

7. Central Signature Log

The central signature log is probably the most common sense method for saving time one could imagine. Why it is it not prevalent in most agencies will be a mystery to you once you understand its simplicity?

Traditionally, when an item needs to be transacted the evidence technician goes to a filing cabinet and retrieves the property report. The evidence technician has the claimant sign the back of the report once for each item taken. The property report is then re-filed in case number order.

When the item is returned, this laborious task is repeated. For an item being issued and received the filing cabinet must be interrogated FOUR



TIMES! Anybody working in a larger agency knows that some people aren't accurate filers. Over time, this ordering can become corrupt and further reduce retrieval time.

If ever there was an internal audit trying to establish what items were checked out on a particular day EVERY property report in the filing cabinet would have to be analysed to gather this information. This could take months!

The central signature log records the exact same information but is maintained sequentially through time in a bound log. Each line has three columns. The first is the date, the second is the unique barcode identifier and the third is the signature. If multiple items for multiple cases are checked out to the same person they need only sign ONCE on the diagonal line drawn through each item in the signature column.

The central signature log maintains a date/time sequence for each chain-of-custody transaction. Each page is numbered in a bound logbook that can't be misplaced. For complete security this log will be photocopied each month.

8. Go back..drugs, guns & money

The hard reality of evidence management is that most of the stuff is simply junk! What makes it frustrating is that it sometimes takes an extremely long period of time to be able to prove this in order to throw it away. As you saw earlier the new user for Evidence Tracker will start booking in all evidence once they decide to go "live". But what about the old stuff?

The best investment of your time is to simply go back and barcode the drugs, guns and money. The simple reason for this is that these are the items that need the most control and have the most activity. You will certainly have to create some type of disposal or NCIC report anyway when these are disposed so wouldn't it be nice to have the computer do this for you?

Another reason for going back to enter these items is that they have the highest transaction volume. Scanning their barcode and using the central signature log will save much time in the future.

9. Create purging assumptions

Purging assumptions are hypothetical assumptions based on current evidence retention guidelines. These guidelines can be written law or simple agreements with the district attorney. One assumption could be misdemeanor items with no suspect listed that has been in possession for more than ninety days. The manager should create a list of such assumptions that can cull out possible items eligible for disposal. These purging assumptions are what we feed to the disposal genie.

10. Run 'Disposal Genie'

The above purging assumptions will now be fed to the disposal genie to create custom letters to interested parties with authority to authorize disposal. These letters will be periodically printed out to each responsible officer showing all items they have collected for each case. The letter will ask them what items can go and which ones must stay. This dialogue opens up a healthy channel of communications and causes the officer to be more conscious of what evidence is being kept. Larger departments will print off these lists by substation by officer and have the computer do all the work. The computer will also automatically print lists to station commanders of all officers that are failing to respond to these request letters in a reasonable period of time.

Letters will also be sent to courts for items of evidence that have been in their possession for an excessive length of time. As a result some departments will find that the item of evidence was never received by the court and instead is still in the officer's possession. This dialog with courts will decrease the chances of losing evidence that may have to be replaced at the agencies expense.

When items have been exposed through 'purging assumptions' they can now be 'flagged' or marked for the next appropriate type of destruction,

or returned to the owner. The portable barcode reader will collect this information by quickly scanning information directly from these letters. In the case of an auction, all items "flagged" for auction would be listed and retrieved for bidding public. These items will probably be printed out in location order to minimize retrieval time. When an item is "flagged" "Return to Owner" the Property Officer is able to give the item back to the authorized owner, without having to waste time and resources calling the responsible officer while the claimant is waiting at the counter.

This dialogue is also extended to other responsible parties holding evidence such as the court and district attorney. Similar purging reports should be printed out to each agency of possession describing items that have been out for an excessive length of time. In the case of the court, the property manager would ask for permission to dispose of items. If it turns out these items are not going to be returned by the court, they can be "flagged" as "Court Hold". When these items are "flagged" the court order number is entered as the issuing authority of this transaction. When printing out lists of what evidence items are in your possession you will be able to screen out all items that are currently issued out of evidence.

11. Conduct inventories

One lesson to be learned from other "inventory" businesses is that some categories are more important to the success of the organization than others. The inventory manager must try to use what time they have to fight the most important fires. This management time to audit evidence should be spent cycle counting. In this instance every item in the category will be inventoried with the portable barcode scanner to show where it's located and the date/time when it was observed to be there. The "big picture" developing here is that 80% of your time should be spent dealing with 20% of items that require the most scrutiny (i.e. drugs, guns and money). For example, when one goes to retrieve a key handgun in a murder case, the records will indicate where it is located and when it was last located there.

The property manager now has a choice, they can live with the fear of losing a critical item or proactively spend a planned amount of time each day looking for potential errors.

In some cases it will not suffice to say that a bag of cocaine has been inventoried as being at one location on a particular day. Complimentary to its being inventoried, the bags will also be randomly scrutinized to make sure the seal has not been broken or the contents have changed in weight. In the same way most departments physically inventory packages containing cash. Some insure that the seal is not broken and some actually recount the amount. Some major departments re-count their cash every week. (Well managed department will not even hold cash but put it into an interest bearing bank account).

12. Evaluate statistics

Traditionally, evidence has always been a high stress job. The fear of losing critical evidence for a key case has always been the fear motivator. Most often any lost evidence was not the current evidence managers fault but his predecessors.

Evidence Tracker creates a management strategy where the overall evidence performance is described in detailed statistical graphs. Management is able to see the aggregate numbers of evidence coming in each month/year and the number of items being disposed. This will show in no uncertain terms when management must start planning to increase the size of their property room or add new shelving. As Evidence Tracker matures this rate of capital growth will decrease and demonstrate an overall cost savings to the agency.

Evidence morale will also be improved because now there is a tool to make things better. Managers will see the efforts being put forth in the form of letters being sent, auctions and narcotics destroys being performed. Inventory cycle counts can be evaluated to increase the accuracy of where items reside and insure there are no "missing" items. Now for the first time in law enforcement an evidence manager can objectively be praised for excellent work. Happy days!

