



DEPARTMENT OF PUBLIC SAFETY MEMORANDUM



TO: POLICE DIVISION
FROM: ANTHONY F. AMBROSE
PUBLIC SAFETY DIRECTOR
SUBJECT: IMPLEMENTATION OF GENERAL ORDER 18-23
RE: PROPERTY & EVIDENCE MANAGEMENT

DATE: April 12, 2019
NUMBER: 19-76
FILE REF: PUB 4 x PTL 1-6
x PTL 1-5

General Order 18-23, Property & Evidence Management, is hereby effective immediately. This Order establishes a uniform property and evidence management system, which standardizes procedural guidelines and responsibilities to ensure safety, accountability, and uncompromised evidentiary integrity.

General Order 18-23 specifically delineates the procedures for the handling of prisoner personal property, arrest evidence, found property and crime scene evidence and the responsibilities of Division personnel.

All Division personnel shall become familiar with and comply with the tenets of this General Order and shall acknowledge receipt and compliance via PowerDMS, no later than May 10, 2019.

BY ORDER OF:

ANTHONY F. AMBROSE
PUBLIC SAFETY DIRECTOR



NEWARK POLICE DIVISION GENERAL ORDER



SUBJECT:
PROPERTY & EVIDENCE MANAGEMENT

GENERAL ORDER NO.
18-23

SUPERSEDES:
G.O. 64-2, 97-03 & 00-02

DATED:
April 12, 2019

RELATED POLICIES:
Property & Evidence Division (G.O. 18-24)
Municipal Arrest Processing Section (G.O. 16-03)
Crime Scene Evidence (G.O. 99-05)

This Order consists of the following numbered sections:

- I. PURPOSE**
- II. POLICY**
- III. DEFINITION OF TERMS**
- IV. EVIDENCE & FOUND PROPERTY**
- V. PRISONER PERSONAL PROPERTY**
- VI. CRIME SCENE EVIDENCE**
- VII. PROPERTY & EVIDENCE DIVISION RESPONSIBILITIES**
- VIII. EFFECT OF THIS ORDER**



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I. PURPOSE

The purpose of this policy is to establish a uniform property and evidence management system, which standardizes procedural guidelines and responsibilities to ensure safety, accountability, and uncompromised evidentiary integrity.

II. POLICY

It shall be the responsibility of every member of the Newark Police Division to promptly secure, document, and safeguard all evidence and property coming into their possession, ensuring that the chain of custody is always meticulously maintained and documented, in accordance with this General Order and all additional referenced material.

III. DEFINITION OF TERMS

- A. Barcode Evidence Analysis Statistics Tracking (BEAST)** - the current commercial product that the Police Division uses for Computerized Evidence Management System (CEMS).
- B. Chain of Custody** – The chronological, geographical, and personnel tracking of any property or evidence item impounded or seized by the Division, from its seizure to final disposition.
- C. Computerized Evidence Management System (CEMS)** – A computer-based program used to aid in-taking, tracking, storing and disposing property and evidence. Any command equipped with such a system need not use the Property Journal unless the computer system goes down.
- NOTE:** A temporary evidence/property ledger shall be maintained at the Property & Evidence Division to document evidence and property intake when the CEMS is out of service.
- D. Crime Scene Unit** – The unit within the Police Division charged with collecting and preserving evidence at a crime scene. *(G.O. 99-5)*
- E. Evidence** – Any material object that tends to logically prove or disprove a fact at issue in a judicial case or controversy; any material object that is admissible as testimony in a court of law; any material object that might have the slightest bearing on the guilt or innocence of a criminal defendant.
- F. Impound** – The process of seizing or taking legal custody of an item because of an infringement of a law or regulation.
- G. Municipal Arrest Processing Section (MAPS)** – the central arrest processing section, located at 480 Clinton Avenue. *(G.O. 16-03)*
- H. Prisoner's Personal Property Receipt (DP1:1755)** – The Division form used to document inventoried personal property of arrestees.
- I. Property** – Tangible items seized by the Newark Police Division, which includes but is not limited to:



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1. Items of value that have been recovered by Division personnel or turned into the Police Division;
2. Items of value whose ownership is unknown or in dispute; or
3. Personal belongings of prisoners or victims.

- J. Property Bag** - A sealable, tamper-resistant, clear plastic bag of varying sizes with a pre-assigned control number, serving as the primary receptacle in which all evidence or property will be stored.
- K. Property Evidence Receipt (DP1:152)** – Police Division form used to document property and/or evidence coming into police custody.
- L. Property Journal** – A property book maintained by all Commands that are not equipped with CEMS, used for recording all evidence and property not placed in CEMS. The property book shall contain the time, date, central complaint number, property bag control number or property description, location stored, supervisor’s identification number and initials, date of release, and the identification number and initials of the Property & Evidence Detective removing the evidence from the Command.
- M. Property & Evidence Division** – The Division responsible for the maintenance of evidentiary integrity, from acquisition to final disposition. *(G.O. 18-24)*
- N. Temporary Property/Evidence Storage Container** – An authorized secured receptacle, locker or room, in a command or unit, dedicated to the temporary storage of recovered property/evidence. The temporary storage container should be in the view of a functioning video surveillance recording system. For this definition, “**secured**,” means lockable with limited access.
- O. Two-Officer Rule** – A two-officer submission and verification process for handling, documenting, and monitoring of property and evidence. A second officer, who can also be a supervisor, observes and verifies the items that are being submitted by the primary officer.

IV. EVIDENCE & FOUND PROPERTY

A. OFFICER/DETECTIVE RESPONSIBILITIES:

1. The responsible officer/detective shall secure the item in the field from theft, tampering, contamination or damage, and transport the item directly to their command.
2. The officer shall maintain control and safeguard all evidence/property until properly inventoried, documented, and stored within an authorized temporary storage location by the end of the officer’s shift.
3. All property and evidence shall be handled and packaged in accordance with the New Jersey State Police, Office of Forensic Science’s Evidence Field Manual – Appendix 1 of this Order.
4. The responsible officer/detective shall provide an explanation of the circumstances of the property/evidence coming into police custody via an Incident Report (DP1:802).



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5. The officer/detective shall inventory the evidence/property using the two-officer rule and document the evidence/property on a Property Evidence Report (DP1:152). **ALL APPLICABLE** boxes on the report shall be completed in detail.
6. The Property Bag shall not be sealed until the Supervisor inspects and verifies the property/evidence is accurately documented on the report(s) at which time the bag shall be sealed and the report(s) approved in RMS.
7. In instances where **FOUND PROPERTY is being submitted**, **all attempts shall be made to identify and return the property to the rightful owner**. If these attempts are unsuccessful, recovery efforts should be documented in the Incident and Property reports.

B. SUPERVISOR RESPONSIBILITIES:

1. The Desk/Section Supervisor shall ensure that all pertinent information is contained on the Property Evidence Receipt (DP1:152) and on the Incident Report (DP1:802).
2. After inventory and verification, the bag shall be sealed and signed by the supervisor in the area denoting "Sealed By", adjacent to the officer's signature, followed by the supervisor's identification number.
3. The Desk/Section Supervisor shall record the following information in the Property Journal, unless the command has a CEMS/BEAST terminal as noted below:
 - a. The date and time;
 - b. Central complaint number;
 - c. Property bag control number;
 - d. Description of property;
 - e. Storage location; and
 - f. Supervisor's name and identification number.
4. If the command/unit is equipped with a functioning CEMS/BEAST, entry into the Property Journal will not be necessary, unless the system is not operational.
5. The property/evidence shall then be secured in the temporary property/evidence storage container of the command/unit prior to the end of the officer's shift.

C. MAPS PROPERTY OFFICER RESPONSIBILITIES:

1. The MAPS Property Officer shall obtain the key from the Municipal Holding Supervisor to the authorized evidence/property container, located in the Evidence Room (#121), and remove and transport the items to the MAPS Holding Property Room.
2. The property/evidence shall be entered into the CEMS/BEAST, and then secured in the Municipal Holding Property Room until the Property & Evidence Division Property Officer retrieves it.



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3. The authorized evidence/property container located in the Evidence Room (#121) shall be checked at least twice a tour for property and evidence.

D. COMMANDING OFFICER RESPONSIBILITIES:

1. Ensure that their respective Commands are equipped with an authorized secure storage container that is within view of a recording video surveillance system.
2. Immediately notify the Office of Professional Standards of any unresolved property or evidence discrepancies that are found.
3. Ensure that a Property Journal is maintained, if their command is not equipped with CEMS/BEAST.
4. Ensure that the precinct detective squad supervisor conducts regular reviews of property reports submitted for all cases that require further investigation (e.g., stolen property, found property) and follow-ups, such as NCIC/SCIC checks, cross references with incident reports and that notifications are made to owners when property is identified.
5. Ensure that Supervisors are complying with this policy.

V. PRISONER PERSONAL PROPERTY

A. AT PRECINCTS AND/OR SPECIALIZED UNITS:

1. Arresting Officer Responsibilities:

- a. When a prisoner's personal property is inventoried, the two-officer rule shall be adhered to and the Prisoner Personal Property Receipt (DP1:1755) **shall be completed in its entirety.** **Only the items listed on the DP1:1755 shall be submitted in the property bag that will follow the prisoner.**
- b. The arresting officer shall ensure that the following occurs:
 - i. Accurate accounting of all listed items;
 - ii. List corresponding CC# and CA# numbers on the receipt;
 - iii. Have the prisoner sign Prisoner Personal Property Form. **The prisoner shall NEVER sign a blank or incomplete form;**
 - iv. Notify on-duty supervisor if the prisoner refuses to sign the form (refusal shall be documented on the Prisoner Personal Property Form);
 - v. Issue a copy of the Prisoner Personal Property Form to the prisoner; and
 - vi. Place the property inside the property bag and seal by affixing the self-adhesive tape portion to the bag.
- c. Personal property of a prisoner that **does not fit** in the standard property bag or **contains prohibited items** shall be handled as such:



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- i. A separate, appropriately sized, property bag shall be used for the property and a Property Evidence Receipt (DP1:152) shall be completed;
 - ii. Accurately inventory and document the property to be submitted at the command;
 - iii. Inform the arrestee how to retrieve their property upon release from custody.
- d. A prisoner's personal identification, cellular phone, money, etc. and all other items that are allowed to follow the prisoner must be listed on the DP1:1755 and sealed in the bag that follows the prisoner. DO NOT include those items in the prisoner's property bag.
- e. The Arrest Report (DP1:800) for the prisoner shall include:
 - i. The corresponding control number from the Property Bag in the "PROPERTY BAG" box, just above box #45;
 - ii. The appropriate reports checked off in box #47 for reports that were executed related to the arrestee, (i.e., DP1:802, DP1:152);
 - iii. State if the prisoner had property and the manner in which it was submitted (in the lower right corner of box #45).
 - iv. How much currency was submitted in the prisoner's personal property (in box #68).
- f. It shall be the **Desk Officer's responsibility** to search each prisoner prior to placing him or her in a temporary holding cell, and prior to transport to MAPS.

2. Desk/Section Supervisor Responsibilities:

- a. Review the Arrest Report (DP1:800) submitted by the arresting Officer to ensure:
 - i. Prisoner's personal property is inventoried, serving as the second person in the two-officer rule;
 - ii. The Prisoner's Personal Property Receipt shall be completed in its entirety. Only the items listed on the DP1:1755 shall be submitted in the property bag;
 - iii. Accurate accounting of all listed items;
 - iv. The signing of the Prisoner Personal Property Form by the prisoner. **The prisoner shall NEVER sign a blank or incomplete form;**
 - v. Notification of the On Duty Supervisor if the prisoner refuses to sign the form – a refusal shall be documented on the Prisoner Personal Property Form;
 - vi. The property is placed inside the property bag and sealed by affixing the self-adhesive tape portion to the bag.
- b. Inspect the Property Bag to ensure that it has been properly sealed and untampered with, information entered and the accompanying Prisoner's Personal Property Receipt (DP1:1755) has been completed and signed.
- c. When it has been determined that all reports are complete, the property shall be secured in the designated temporary storage container used to store prisoner personal property prior to the end of the officer's shift.
- d. The Desk/Section Supervisor shall record in the Property Journal (or CEMS if available) the following information:



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- i. The receipt/deposit of all evidence.
- ii. The transfer of property to MAPS with the prisoner.

B. AT MUNICIPAL ARREST PROCESSING SECTION (G.O. 16-03):

1. Arresting Officer Responsibilities:

- a. When a prisoner is transported to MAPS for processing, the prisoner's personal property shall be inventoried using the two-officer rule, and the Prisoner Personal Property Receipt (DP1:1755) shall be completed in its entirety. **Only the items listed on the DP1:1755 shall be submitted in the Property Bag.** The arresting officer shall ensure the following:
 - i. Accurate accounting of all listed items;
 - ii. Corresponding CC# and CA# numbers are listed on the receipt;
 - iii. Have the prisoner sign Prisoner Personal Property Form. **The prisoner shall NEVER sign a blank or incomplete form;**
 - iv. Notify on-duty supervisor if the prisoner refuses to sign the form (refusal shall be documented on the Prisoner Personal Property Form);
 - v. Issue a copy of the Prisoner Personal Property Form to the prisoner; and
 - vi. Place the property inside the property bag and seal by affixing the self-adhesive tape portion to the bag.
- b. Personal property of a prisoner that **does not fit** in the standard property bag or **contains prohibited items** shall be handled as such:
 - i. A separate, appropriately sized, Property Bag shall be used for the property and a Property Evidence Receipt (DP1:152) shall be completed;
 - ii. Accurately inventory and document the property to be submitted at the command;
 - iii. Inform the arrestee how to retrieve their property upon release from custody.
- c. A prisoner's personal identification, cellular phone, money, etc. and all other items that are allowed to follow the prisoner must be listed on the DP1:1755 and sealed in the bag going with the prisoner. DO NOT include those items in the prisoner's oversized property bag.
- d. The Arrest Report (DP1:800) for the prisoner shall include:
 - i. The corresponding control number from the property bag in the "PROPERTY BAG" box, just above box #45;
 - ii. The appropriate reports checked off in box #47 for reports that were executed related to the arrestee, (i.e. DP1:802, DP1:152);
 - iii. State if the prisoner had property and the manner in which it was submitted (in the lower right corner of box #45);
 - iv. How much currency was submitted in the prisoner's personal property (in box #68).
- e. It shall be the **MAPS Housing Officer's** responsibility to ensure each prisoner is searched before he or she is placed in a holding cell.



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2. MAPS Supervisor Responsibilities:

- a.** Upon the arrival of a prisoner at the Municipal Arrest Processing Section, **having already been processed at another Command/Section**, the Floor Supervisor shall:
 - i.** Verify that the control number on the Arrest Report corresponds with the Property Bag and Prisoner's Personal Property Receipt (DP1:1755);
 - ii.** Inspect the property bag to verify that it is sealed;
 - iii.** When entering into the desk blotter the arrival of a prisoner, note the Property Bag control number in the desk blotter.
- b.** In the event a discrepancy is found in the control number, items on the Arrest Report (DP1: 800), or items on the Prisoner's Personal Property Receipt (DP1:1755), the Floor Supervisor shall:
 - i.** Attempt to rectify the discrepancy with the arresting officers or by contacting the Command/Unit from which the prisoner originated;
 - ii.** Initiate an Investigation of Personnel (IOP), if the discrepancy is not resolved;
 - iii.** Document actions taken in the desk blotter.

3. MAPS Property Officer Responsibilities:

- a.** The Property Officer will receive the Property Bag and Prisoner's Personal Property Receipt (DP1:1755) after the supervisor has reviewed it and shall:
 - i.** Verify the Property Bag is sealed and untampered with. If it is not, the Property Officer shall notify the on-duty supervisor immediately;
 - ii.** Verify that the Prisoner Personal Property Receipt (DP1:1755) is complete and has the Property Bag control number in the upper right hand corner;
 - iii.** Log the following information in the BEAST:
 - Date property received
 - Prisoner name
 - Central Arrest Number
 - Precinct where prisoner was arrested
 - Property Bag control number
 - iv.** Secure the property bag in the room designated specifically to house/store prisoner property at MAPS;
 - v.** Ensure that when the prisoner is transferred from MAPS, the prisoner's Property Bag is attached to corresponding reports.

C. RELEASE OF PRISONER PERSONAL PROPERTY:

1. Release of Personal Property to Prisoner:

- a.** In the presence of the prisoner, open the Property Bag by cutting open the bottom and removing all the property.



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- b. Have the prisoner verify the contents of the property bag and sign the bottom portion of the Prisoner Personal Property Receipt (DP1: 1755), or electronically acknowledging receipt of their property by signing on the electronic signature pad if available.
- c. After the prisoner signs the Prisoner Personal Property Receipt, acknowledging receipt of property, the officer releasing the property shall sign the bottom line of the Prisoner Personal Property Receipt, verifying the return of property.

2. Release of Personal Property to Someone Other than Prisoner:

- a. Authorization shall be obtained from the On Duty Supervisor. This authorization shall be documented by the officer by writing the supervisor's name and ID on the comment section of the DP1:1755.
- b. Consent shall be obtained from the prisoner prior to the release of the property.
- c. Contents of the property bag shall be verified utilizing the two-officer rule.
- d. The Prisoner Personal Property Receipt (DP1:1755) shall be signed by the person receiving the property, listing their name, relationship to the prisoner, address and telephone number of the person receiving the property.
- e. Due to the security nature of the Property Bag, once the seal has been broken, its integrity has been compromised. Therefore, when property is released, it shall be released in its entirety. **Partial release of property is not authorized.**
- f. Appropriate notations are to be made in the CEMS/BEAST and a copy of the signed Prisoner Personal Property Receipt shall be electronically uploaded and attached to the case file in the BEAST.

3. In the event that a property bag must be opened:

- a. Approval must be obtained from the On Duty Supervisor.
- b. Personnel opening the Property Bag must submit an ADMINISTRATIVE REPORT (DP1:1001), explaining the reason for opening the bag. This report must be submitted PRIOR to end of tour.
- c. Entry shall be made in the Desk Blotter indicating the time, circumstances and personnel involved in the opening of the bag.
- d. A new property bag shall be utilized when re-securing the prisoner property. Additionally, a Continuation Report (DP1:795) shall be completed indicating the cross referencing of the Property Bag numbers so as to be able to track in the BEAST and/or RMS.
- e. The old Property Bag control number shall be noted on the new Property Bag below "Date of Arrest".
- f. The opened Property Bag shall be attached to the Administrative Submission (DP1:1001) and forwarded to the Division Commander where they shall be reviewed and retained.



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4. Unclaimed Property

- a. In the event a prisoner does not claim his/her personal property within five (5) days after release from MAPS, the property shall be transferred to the Property & Evidence Division for storage, release at a later date, or disposal. The property shall be transferred using the following procedure:
 - i. Property & Evidence Division personnel shall log out in the CEMS/BEAST (or Property Journal if not operational) any personal property that is being transferred to the Property & Evidence Division.
 - ii. The Property & Evidence Division will retain the property for six months.

VI. CRIME SCENE EVIDENCE (G.O. 99-05)

- A. When a gun is seized, Central Communications shall be notified to have a crime scene clerk respond to take possession of the gun for delivery to the Ballistics Unit.
- B. Upon arriving on a crime scene, the officer(s) shall:
 1. Render immediate aid in accordance with officer's training and notify E.M.S. if injured persons are at the scene.
 2. Notify Central Communications of the situation and request for the appropriate:
 - a. Investigative Detectives to respond to the scene, and;
 - b. Request Crime Scene Response Unit for the collection and preservation of evidence, as directed by the investigating detective or the on-scene supervisor.
 3. Provide immediate protection measures that include:
 - a. Prevent the unnecessary entry into or disturbance of the crime scene especially in areas where footwear/tire impressions are present;
 - b. Only in the event that there is a high likelihood/risk that evidence may be lost/destroyed; then the member may retrieve/move evidence for the purposes of safeguarding it. In these cases the member SHALL document the reason why there was a need to move/safeguard the evidence;
 - c. Items in the crime scene shall not be moved and the bodies of deceased persons shall not be disturbed.
 4. Relinquish the crime scene to the Detective in charge or ranking supervisor once either arrives at the scene.
- C. Procedures for cases where the officer must collect and submit evidence; whether due to exigent circumstances, or upon direction by a supervisor or investigating detective:



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1. Responsibilities of Officers/Detectives:

- a. The officer shall maintain control and safeguard all evidence/property until properly inventoried, documented, secured in the appropriate storage container, and stored within a temporary storage location.
- b. The responsible officer/detective shall provide an explanation of the circumstances of the property/evidence coming into police custody via an Incident Report (DP1:802).
- c. The officer/detective shall inventory the evidence/property using the two-person rule and document the evidence/property on a Property Evidence Receipt (DP1:152). Officers should fill in **ALL APPLICABLE** boxes in detail.

2. Responsibility of Supervisor Receiving Property:

- a. All property submitted shall be accompanied by a Property Evidence Receipt and other reports pertaining to that case.
- b. Desk Supervisors will ensure that all pertinent information is contained on the Property Evidence Receipt.
- c. The property shall be inspected to ensure that it is properly packaged and labeled. All items will be verified with the entries on the corresponding Property Evidence Receipt.
- d. After inventory and verification, the property shall be secured in the designated temporary storage container.

VII. PROPERTY & EVIDENCE DIVISION RESPONSIBILITIES (G.O. 18-24)

A. Commanding Officer:

1. The Property & Evidence Division Commander is responsible for overseeing the Newark Police Division's Property & Evidence Management System in cooperation with the various commands that come in contact with and intake property/evidence, ensuring integrity through proper internal controls through the entire process.

B. Property & Evidence Division Officer/Clerk Responsibilities:

1. Respond to all Division Commands/Units that have an authorized temporary property/evidence storage container/locker on a regular basis for property and evidence collection.
2. Make sure all property/evidence is packaged properly and not tampered with.
3. Make sure there is a Property Evidence Receipt (DP1:152) for each piece of property/evidence and inspect for accuracy and completeness.
4. When property/evidence is collected at the site, scan each item out in the command's CEMS.
5. If the command/unit does not have a CEMS then enter the date, their identification number and initials, next to the corresponding item in the Command/Unit Property Journal (the supervisor will then sign and date below the last entry in the Command/Unit Property Journal).



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6. In the event of a discrepancy and/or missing items, the Property and Evidence Officer/Clerk shall immediately advise the on-duty supervisor.
 - a. The On Duty Supervisor shall make every attempt to resolve the discrepancy prior to the departure of the Evidence and Property officer/clerk.
 - b. If the discrepancy cannot be resolved, the On Duty Supervisor shall immediately initiate an Investigation of Personnel (IOP) with notifications to their Commanding Officer and the Office of Professional Standards.
 - c. All discrepancies shall be documented by the Desk Supervisor in the Command's property journal. The property in question shall remain at the Command until properly accounted for.
 - d. The Property & Officer/Clerk shall notify the Property & Evidence Division Commander immediately by documenting same on an Administrative Report (DP1 1001).
 - e. Transport all collected property/evidence to the Property & Evidence Command "Intake Area", documenting its arrival, securing it prior to the end of officer/clerk's shift.
7. All property/evidence movement conducted by Property & Evidence Division Personnel will be entered into the Newark Police Division's Computerized Evidence Management System (CEMS). The only exception will be if the CEMS stops functioning, and would require manual entry of information into the Section's Property Journal, which will be entered into the CEMS once functioning resumes.

VIII. EFFECT OF THIS ORDER

All Division Orders, Memoranda, and sections of Rules and Regulations concerning the custody of evidence and property that are inconsistent with this policy are hereby rescinded and repealed.

By Order of:

**ANTHONY F. AMBROSE
PUBLIC SAFETY DIRECTOR**

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