



University of Pennsylvania Police Department 4040 Chestnut Street, Philadelphia, Pa 19104		 
Directive: 38	Subject: Property and Evidence Control	Effective Date: 12/13/1999
Order of: Gary Williams, Chief of Police		Amended Date: 08/01/2023

I. Purpose

The purpose of this directive is to establish procedures for the receipt, handling, security, and disposition of any property received or taken into custody.

II. Policy

It is the policy of the University of Pennsylvania Police Department (UPPD) to ensure that property in its custody can be properly secured, stored, and readily retrieved, and that any changes in its custody have been properly and fully documented. Therefore, any police employee who receives or takes into custody any property, by any means or from any source, will ensure strict adherence to all applicable policies and procedures governing in-custody and evidentiary property contained within this directive. In order to maintain an uninterrupted chain of custody for judicial proceedings, it is policy of the UPPD that all evidentiary property be turned over to, and stored by, the Philadelphia Police Department's (PPD) Evidence Custodian.

III. Scope

This directive shall affect all sworn police officers, Detective Unit employees and Records Unit employees.

IV. Definitions

- A. Chain of Evidence: The continuity of the custody of physical evidence--from time of original collection to final disposal--which may be introduced in a judicial proceeding.
- B. Contraband: Anything forbidden by law to be bought, sold, bartered, traded, possessed, or transported.
- C. Impounding Officer: The member of the UPPD who initially receives the evidence and initiates the chain of custody.

- D. Physical Evidence: Any substance or material found or recovered in connection with a criminal investigation.
- E. Property: For purposes of this directive, property shall be defined as any article or object.

V. Procedures

A. Administration

1. The Deputy Chief of Investigations shall designate a member of the UPPD (may be a sworn or non-sworn employee) as Property Custodian. This individual will be responsible for receiving, storing, maintaining, releasing, and accounting for all non-evidentiary property in accordance with this directive.
2. The PPD Evidence Custodian shall be responsible for receiving, storing, maintaining, releasing, and accounting for all evidentiary property/contraband in accordance with PPD policy and procedures. He/she shall also be responsible for its final disposition.
3. The PennComm Center Police Supervisor shall be responsible for the distribution and security of blank UPPD Property Receipts (UPPD-21) and the property receipt logbook.

B. Property Classifications

1. Property, which may legally be taken into custody, is limited to the following classifications:
 - a. Lost and Found
 - 1) Property which was lost or missing and found by a member of the UPPD or found by others and turned over to the police. A reasonable effort will be made to identify and notify the owner/agent of the property prior to submitting it for storage.
 - 2) If the property has little or no value (e.g., ID cards, notebooks, etc.), the person who finds the property shall be instructed to submit the property to the University's central lost and found.
 - a) Abandoned articles may be included in this category, however UPPD personnel shall **not** take into custody articles having little or no value or considered refuse.
 - b. For Investigation
 - 1) Property taken into custody when a specific charge has not been determined or a defendant is not in custody.
 - 2) Property received or obtained under circumstances that would normally require a police investigation or property that by its very nature requires an investigation.

- 3) Property taken from a person or location under circumstances that would lead a reasonable person to believe that a crime has been committed and the articles in question may be the fruits of the crime.

c. Personal Property for Safe Keeping

- 1) A police officer may take the following from any person in custody:
 - a) property that may facilitate escape;
 - b) property that may be used to damage or deface University property;
 - c) that may be used to inflict personal injury; and
 - d) all money and/or valuables if, and only if, a UPPD or PPD supervisor determines that the person in custody does **not** have full control of his/her physical and mental faculties.
 - i) If the individual refuses to turn in money/valuables, the officer will **not** remove them, but will inform the supervisor of the refusal and make note of it on the Incident Report (UPPD-10).
 - ii) Items removed from a detainee for safe keeping shall be itemized on a PPD (75-48) and placed in a property bag. These items shall be returned to the detainee upon release or will be turned over to the receiving agency if the detainee is transferred to another facility.
 - iii) The impounding officer shall ensure that the detainee or receiving agency sign for the property [signature affixed to the PPD (75-48)] upon release or transfer.
 - iv) All of the above articles will be returned to the detainee when he/she is released from custody. The above property shall not be turned in as evidence.

d. Evidence

- 1) Property that will be required to be presented in a judicial proceeding to establish the nature of the crime committed and/or to support, prove or disprove the alleged facts at issue.
 - a) Contraband will be classified as either "For Investigation" or "Evidence" and placed on a PPD Property Receipt (75-3) and stored in accordance with Sections V., G. and H., of this directive.

C. Issuance and Preparation of UPPD Property Receipts

1. The Deputy Chief of Investigations is responsible for the integrity and security of all unissued UPPD Property Receipts (UPPD-21).
2. All property taken into custody that is **not** classified as evidence or contraband will be placed on a UPPD Property Receipt (UPPD-21) and **must** be submitted to the UPPD property custodian or secured in the property cage/lockers by the officer coming into custody of the property prior to the end of the tour.
3. UPPD Property Receipts may be obtained from the PennComm Center Police Supervisor. The PennComm Center Police Supervisor shall ensure that the assigned officer enters the information contained on the (UPPD-21) into the property receipt logbook.
 - a. The PennComm Center Police Supervisors will maintain a sufficient supply of blank Property Receipts within the PennComm Center not to exceed twenty (20). PennComm Center Police Supervisors are responsible for notifying the Office of the Deputy Chief of Investigations by phone or e-mail to replenish the supply of blank Property Receipts as needed.
4. Officers shall **type** all information onto the UPPD Property Receipt.
5. The impounding officer who takes initial custody of the property will:
 - a. Complete all applicable blocks on the (UPPD-21) and ensure that all items on a single Property Receipt are of the same classification (e.g., for investigation, etc.).
 - b. Type under "Items of Property and Circumstances under which it was received including the exact location taken from:"
 - 1) Number and each type of article seized.
 - 2) Complete detailed description of each item.
 - a) Use serial number when available.
 - b) Do **not** indicate dollar value, estimated or otherwise.
 - c) List paper currency by denomination and total amount.
 - d) Give a general description of jewelry. Do NOT use specific terms. Use terms such as gold colored, clear stone, etc. NOTE: All jewelry shall be photographed.
 - 3) How and where obtained.
 - 4) Any other fact relating to the circumstance under which the property was obtained.
 - 5) If the article is connected to items listed on another Property Receipt, note the Property Receipt number(s) of the other receipt(s).

6. After completing the (UPPD-21), the officer will:
 - a. have the PennComm Center Police Supervisor sign the "witness" section of the (UPPD-21);
 - b. make a copy of the original (UPPD-21);
 - c. attach the copy to the completed Incident Report (UPPD-10); and
 - d. forward the copy of the (UPPD-21) and the completed Incident Report (UPPD-10) to the PennComm Center Police Supervisor.
7. The original "white, yellow and pink" copies of the (UPPD-21) will be attached to the property. The officer will detach and maintain the "goldenrod" copy as his/her personal record of the incident.
8. PennComm Center Police Supervisors are responsible for recording the number of the next available blank Property Receipt (UPPD-21) on the daily Summary Sheet (UPPD-8).

D. Storage of Non-Evidentiary Property (UPPD)

1. Non-evidentiary property taken into custody will be recorded on a UPPD property receipt and turned over to the Detective Unit by the officer coming into custody of the property prior to the end of the tour. The property will be stored in the UPPD property cage until final disposition.
 - a. A copy of the UPPD Property Receipt will be attached to the property prior to storage. The following information will be printed on the receipt:
 - 1) Control number;
 - 2) Property receipt number;
 - 3) Case number (if known);
 - 4) Owner's name and address (if known);
 - 5) Description of property;
 - 6) Serial number (if applicable);
 - 7) Officer's name and badge number; and
 - 8) Date and time.
 - b. When non-evidentiary property is taken into custody, and members of the Detective Unit are not available, officers will secure the items in the temporary property storage

lockers inside the PennComm Center. The key used to secure the temporary property storage locker is to be placed inside the locker, via the slot once the locker is secured. Larger items will be stored in the UPPD property cage. The key for the UPPD property cage will be securely stored in the electronic key box inside the PennComm Center. Access to this key is restricted to the rank of Sergeant and above. Whenever this key is utilized, a notation will be made on the sending and receiving (S & R) sheet.

E. Property Custodian's Responsibilities

1. The designated UPPD Property Custodian shall have the following responsibilities:
 - a. will be accountable for control of all non-evidentiary property stored in the UPPD property cage and will ensure that all stored property is properly documented in property records of the UPPD;
 - b. will establish a system (e.g., color code, shelf numbering, etc.) to increase property accountability;
 - c. each workday when reporting for duty will check the temporary storage lockers and will transfer property contained within to the property cage;
 - d. will ensure that an original UPPD Property Receipt (UPPD- 21) is completed in triplicate (white, yellow, and pink copies) and attached to each item;
 - e. will maintain a property cage that is secure, clean, and orderly, and will take necessary steps to ensure that all property in custody is being protected from damage, deterioration, and theft;
 - f. will monitor all storage areas to ensure that all property is stored in a designated area and that department policies and procedures are being followed;
 - g. will maintain a separate secure area (safe or locked cabinet) within the property cage for extra security measures when handling exceptional, valuable, or sensitive items of property (e.g., jewelry, precious metals, currency, etc.);
 - h. will be responsible for the maintenance of records on recovered property indicating continuity from entry into the system to its final disposition;
 - i. will make a reasonable effort to identify and notify the owner/agent of non-evidentiary property in UPPD custody;
 - j. will release property only to authorized persons and will demand proof of identification of the owner/agent prior to releasing property;
 - k. will conduct property inspections and produce reports in accordance with Section V., L. of this directive; and

- I. will ensure final disposition of non-evidentiary property in accordance with Section V., M. of this directive.

F. Processing Evidence

1. Any member of the UPPD who has evidence to be transferred to the PPD shall make an inventory of that evidence at the location it was found or recovered. The inventory shall be witnessed and confirmed by a supervisor and shall include the following information for all items of evidence:
 - a. description of the item (including make, model number, and serial number, if any);
 - b. source (from whom or location obtained); and
 - c. name of person primarily responsible for collecting the item or items.
2. The above information shall be recorded on a UPPD Incident Report (UPPD-10). The UPPD Incident Report shall be signed by the impounding officer and the supervisor.
3. The impounding officer shall properly handle, package, and label all evidence, and transport all physical evidence to the PPD Evidence Custodian, or other authorized location, in accordance with **Directive 9, "Responsibilities at Crime Scenes,"** as soon as practical. During times when the PPD Evidence Room is closed, evidence will be stored temporarily in the UPPD Property Cage, following the procedures as illustrated in Section V.D.1.b. of this directive. To ensure proper chain of custody, the officer who initially collected the evidentiary items will deliver them to the PPD Evidence Custodian during normal business hours.
4. Officers shall take the appropriate precautions in accordance with **Directive 32, "Occupational Exposure To Blood-Borne Pathogens,"** when handling evidence of a hazardous nature such as items that may have been exposed to or contaminated by communicable diseases.
5. The PPD [and in some cases the Philadelphia Fire Department (PFD)] shall be notified and will process hazardous evidence such as flammable and explosive materials in accordance PPD and PFD policies and procedures.

G. Issuance and Preparation of PPD Property Receipts (Evidence)

1. **All** evidence and contraband taken into custody will be placed on a PPD Property Receipt (75-3) and delivered to the appropriate PPD storage facility prior to the end of the impounding officer's tour of duty.
2. PPD Property Receipts may be obtained by UPPD personnel at the PPD district of occurrence from the Operations Room Supervisor.

Note: If the PPD Operations Room Supervisor refuses to issue the impounding officer a PPD Property Receipt, the impounding officer shall immediately notify his/her supervisor. The notified supervisor shall attempt to rectify the situation. If unsuccessful, the supervisor shall advise the impounding officer to place the property on a UPPD Property Receipt (UPPD-21) and store the item in accordance with sections V., C. and D., of this directive.

3. Officers shall **type** all information onto the PPD Property Receipt.
4. The impounding officer who takes initial custody of the property will:
 - a. Complete all applicable blocks on the Property Receipt (75-3) and ensure that all items on a single Property Receipt are of the same classification (e.g., evidence, for investigation) and are to be delivered to the same storage facility.
 - b. Type under "Items of Property and Circumstances under which ... From."
 - 1) Number of each type of article seized.
 - 2) Complete detailed description of each item.
 - a) Use serial number when available.
 - b) Do **not** indicate dollar value, estimated or otherwise.
 - c) List paper currency taken as "evidence" by serial number if money was listed or identified prior to the crime or confiscation (e.g. dye-stained money, bait money) otherwise list by total amount.
 - d) Give a general description of jewelry. Do **not** use specific terms. Use terms such as gold colored, clear stone, etc. **Note:** All jewelry shall be photographed.
 - 3) How and where obtained.
 - 4) Any other fact relating to the circumstance under which the property was obtained.
 - a) If the article was used to injure or kill, include the name, age, address, and race of both the defendant (if known) and the victim.
 - 5) If the article is connected to items listed on another Property Receipt (75-3), note the Property Receipt number(s) of the other receipt(s).
 - 6) Include number of the Search and Seizure Warrant, if applicable.

H. Storage of Evidence (PPD)

1. The PPD Chemical Laboratory will, on all tours of duty, seven (7) days a week receive and store:
 - a. Samples of alcoholic liquors or malt beverages. Samples will **only** be delivered to the Chemical Laboratory in the following cases:
 - 1) defendant held for court (including Final Hearing Court);
 - 2) re-arrest procedure initiated; or
 - 3) defendant held for further hearing and the judge directs analysis.
 - b. Narcotics and other controlled substances.
 - c. Poisons connected to criminal cases.
 - d. Any other property which requires chemical analysis of its make-up (e.g., clothes, blood-stained weapons, etc.). This type of property will be transferred to the PPD Evidence Custodian by members of the Chemical Laboratory.
2. The PPD Firearms Identification Unit (FIU) will, on all tours of duty, seven (7) days a week, receive, test, and store all weapons designed or modified to fire, including zip guns, converted starter pistols, etc. Ammunition, projectiles, and projectile casings shall also be turned over to the FIU.
 - a. The impounding officer WILL immediately take all firearms to the PPD FIU. NO firearms will, for any reason, remain in the custody of the impounding officer or be stored at UPPD headquarters.
 - b. Weapons that are **not** capable of firing which were used or suspected of having been used in the commission of a crime are to be taken to the FIU for examination before they will be accepted by the PPD Evidence Custodian. This would include guns without barrels, cylinders, or if all internal parts are missing. Also included are air rifles or starter pistols that have not been altered, simulated weapons, toy guns, etc.
 - c. All live ammunition will be taken to the FIU for examination and storage.
 - d. Firearms will be available at the PPD Evidence Custodian's office if they are required for court presentation.
3. The PPD Automotive Services Division will receive and store vehicles, bicycles or any articles of excessive weight or bulk that cannot be stored at other PPD storage facilities, if the property is needed for presentation in a judicial proceeding.
4. The PPD Evidence Custodian will receive and store all other portable evidentiary property not designated as being stored with another PPD storage facility. When the PPD Evidence

Custodian is not available, items to be submitted to PPD shall be temporarily stored within the UPPD Property Cage (see section V.F.3., above). These items will be taken to the PPD Evidence Custodian as soon as the custodian is available by the officer who initially collected the evidence, to ensure proper chain of custody.

5. The impounding officer will make arrangements with the PPD Identification Unit to have **all** jewelry, perishable evidence and evidence of an excessive weight or bulk photographed prior to submission to the receiving storage facility or return to the owner.

I. Obtaining Evidence for Court

1. To obtain evidence for court presentation, the impounding officer will report to the PPD Evidence Custodian's office (Philadelphia City Hall, room #715) and exchange the "arresting officer's" copy (salmon) of the (75-3) for the evidence and the "agency" copy (pink). Upon termination of that day's court, the officer will return the evidence and the "agency" copy to the PPD Evidence Custodian's office and exchange them for the "arresting officer's" copy of the (75-3).
2. At the conclusion of the case, the officer will record on the reverse side of the "agency" copy, the Common Pleas (CP) or Municipal Court (MC) Number, Disposition, Judge's, and District Attorney's names.
3. In all cases involving appeals and re-trials in which evidence was confiscated by the court at a previous trial, the impounding officer will obtain that evidence for the new trial by presenting the "arresting officer's" copy to the PPD Evidence Custodian.
 - a. The PPD Evidence Custodian will provide the impounding officer with the CP or MC Number, whichever is applicable, and the date of confiscation by the court. The PPD Evidence Custodian will then direct the impounding officer to proceed with this information to the Clerk of Quarter Sessions, Evidence Clerk to obtain the evidence.
- 4. Members of the UPPD who assume custody of evidence for court proceedings bear full responsibility for ensuring its security until returned to the PPD evidence custodian.**

J. Disposition on Orders of the Court

1. Police personnel will **not** solicit or accept for their own use, evidence or property from any judge, court official or other person.
2. When property is ordered by the court to be returned, the person to whom the property is to be released will be directed to report to the PPD Evidence Custodian's office.

K. Prohibited Storage of Property

1. UPPD employees are prohibited at all times from storing any evidence, contraband or recovered property in their desks, lockers, personal vehicles, homes, or other places that

are NOT designated as approved property or evidence storage areas. All property taken into custody shall be processed and placed under the control of the property and evidence control functions in accordance with this directive before the impounding officer ends his/her tour of duty. **Only authorized personnel will have access to areas where property is secured.** Authorization will be obtained from the Deputy Chief of Investigations for anyone (other than the UPPD Property Custodian) requiring access to property storage areas.

L. Property Inspections and Reports

1. The following documented inspections; inventory and audits shall be completed:

a. Property stored by UPPD

- 1) An inspection to determine adherence to procedures used for the control of property shall be conducted semi-annually by the Property Custodian;
- 2) A joint inventory of all property shall be conducted, at the time of transfer, whenever the current Property Custodian is replaced by a newly designated Property Custodian to ensure that records are correct and properly annotate;
- 3) An annual audit of all property held by the UPPD shall be conducted by a commander/ supervisor designated by the Chief of Police not routinely or directly connected with control of property; and
- 4) Unannounced inspections of UPPD property storage areas shall be conducted as directed by the Chief of the Police

b. Property and Evidence in the custody of the Philadelphia Police Department

- 1) An inspection to determine adherence to procedures used for the control of University of Pennsylvania Police Department (UPPD) property or evidence in the custody of the Philadelphia Police Department (PPD) shall be conducted at semi-annually by the person responsible for the property and evidence control function or designee of the Chief of Police.
 - a) The UPPD Property Custodian (or designee) shall be responsible for review of the PPD RMS system data which detail the status of PPD Property Receipts (and property/evidence) which were originally controlled by the UPPD and submitted to the custody of the PPD for storage.
 - b) The UPPD shall maintain a database detailing all property and evidence submitted to the custody of the PPD. The database shall include the following information:
 - i) Property Receipt Number

- ii) District Control/Case Number
 - iii) Description of Item
 - iv) Storage location
 - v) Disposition
- 2) An annual audit of all UPPD property of evidence in the custody of the PPD shall be conducted by a supervisor not routinely or directly connected with control of property and evidence.
- a) The supervisor will obtain a copy of the PPD Property Receipt list generated by the UPPD Property Custodian (or designee) and meet with the PPD Evidence Custodian (or designee) at the PPD Evidence Storage Area and complete the following:
 - i) Present the inventory list and audit the evidence/property location and status with the PPD Evidence Custodian.
 - ii) Document the date, time, and location of the audit.
 - iii) Obtain a signature from the PPD Evidence Custodian, or designee
 - iv) Document any errors or issues that may arise from the audit on the audit form.
 - v) Submit completed audit to the UPPD Chief of Police.
- 3) Unannounced inspections of the PPD Evidence Storage Area where UPPD property/evidence is held by the PPD shall be made at least once annually.
- a) Unannounced Inspections shall be documented in writing and with photos when appropriate.
- 4) During any audit of PPD Evidence Storage Areas, UPPD representatives shall document if there were any changes in the Supervisor and lead PPD Evidence Custodian since the last inventory or audit.
- a) Any changes with the PPD Evidence Custodian shall be documented in writing noting the date(s) of changes and subsequent audit to ensure records are correct and properly annotated.

M. Final Disposition of Property/Evidence

1. The final disposition/destruction of non-evidentiary property stored at the UPPD HQ shall be accomplished within six (6) months after legal requirements have been satisfied.

2. The final disposition/destruction of evidence shall be in accordance with PPD policy and procedures.

N. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

O. Officers Assigned to Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

P. Application

This directive constitutes departmental policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law. Violations of policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.