

**Lower Providence Township Police Department
Eagleville, Pennsylvania**

General Order ☒
Special Order ☐
Personnel Order ☐

ORDER NUMBER

615

Subject

Disposition of Evidence and/or Property

Date of Issue

February 17, 2020

Effective Date

February 17, 2020

Expiration Date

**Until Amended or
Rescinded**

Issued by:

Michael Jackson, Chief of Police

Amends

Rescinds

All Previous Orders

Standard Number:

Distribution

- 1. General Order Manuals**
- 2. Records Manual**
- 3. Reading Verification to all Personnel**

I. PURPOSE

The purpose of this general order is to establish guidelines for the disposition of evidence and/or recovered property.

II. POLICY

It is the policy of the Lower Providence Township Police Department to ensure that evidence and/or recovered property in its custody is properly secured, stored, and readily retrievable. Additionally, any changes in the custody of the evidence and/or recovered property are properly and fully documented.

III. PROCEDURE

A. Disposition of Evidence

1. When no longer needed for evidentiary purposes, all evidence and/or recovered property, with the exception of contraband, shall be returned to its lawful owner unless title to the evidence and/or recovered property is legally transferred to this or another jurisdiction. The Evidence Custodian, or his/her designee, will undertake an effort to identify and notify the owner or custodian of property. If the lawful owner fails to claim the property, the Department may, as permitted under State law:
 - a. Destroy it,
 - b. Escheat to custody of the State,
 - c. Retain it for use by the jurisdiction.

2. Firearms and other non-drug contraband shall be physically destroyed unless:
 - a. Court order authorizes use of the item by this Department
 - b. The firearm is required by State law to be returned to its lawful owner once positive identification has been established and there is no legal reason he/she can't possess the weapon.
 3. The Chief of Police, or his/her designee, shall designate a Command Level Officer to oversee the entire drug destruction process. This will normally be the Lieutenant. This individual shall:
 - a. Select a destruction process that will completely destroy the substance.
 - b. May elect to have items randomly tested.
 - c. Compare these results with prior testing conducted.
 - d. If any discrepancies are found before the drugs are destroyed, immediately notify the Chief of Police and stop the destruction process.
 - e. Assign a supervisor along with an evidence custodian to monitor the loading of the items to be destroyed, accompany the items to the destruction site, and observe the destruction process.
 - f. After the completion of the destruction process, the evidence custodian assigned to the destruction process will document by report the following:
 - (1) The date, time, and location of the destruction;
 - (2) An inventory of the items destroyed;
 - (3) A list of those present at the destruction.
 4. Any small amounts of drugs or other items that are not to be logged into evidence may be destroyed. Such destruction must be witnessed by a supervisor and another officer and must completely destroy the items. The following must be documented regarding the destruction:
 - a. The date, time, and location of the destruction
 - b. An inventory of the items destroyed
 - c. A list of those present at the destruction.
 5. Bicycles that are found property, and whose owner cannot be located, will periodically be disposed of by donation to a non-profit organization.
 6. Property, other than guns, drugs, and other contraband, will be disposed of when the owner cannot be determined or located despite reasonable efforts to do so and at least one year has elapsed. This property will be disposed of as follows:
 - a. Items that are of use by the Police Department may be transferred to the Department.
 - b. Items that are of value and appropriate to be sent to the Pennsylvania Department of Unclaimed property will be inventoried and sent to them.
 - c. Items that are of no value and deemed unacceptable by the Pennsylvania Department of Unclaimed Property will be destroyed
 - d. No member of this Department, or any other individual, may receive any evidence and/or recovered property nor may any individual profit from the disposal of any evidence and/or recovered property.
- B. Evidence Maintained For Training**
1. The Detective Sergeant may authorize certain items of evidence to be maintained for training purposes. All items of evidence used for training purposes must have a final disposition prior to their use for training.
 - a. Example: controlled substances are needed for the training and certification of K-9 teams used for drug detection.
 2. Controlled substances required for the training and certification of K-9 teams may be maintained under the following conditions:
 - a. The Lieutenant will be required to sign for the controlled substances on the Property Record Form.
 - b. The controlled substances will be maintained in a safe and secure manner.
 - c. The controlled substances may only be used for Department authorized training.
 - d. Assignment of controlled substances to the K-9 Unit for training purposes will be temporary. All items will be returned to an evidence custodian upon request or are no longer needed.

- e. The controlled substances are subject to inspection by the Detective Sergeant. All controlled substances will be weighed and/or measured prior to temporary assignment to the K-9 Unit for training purposes. This weight and/or measurement will be recorded and items will again be measured and/or weighed upon their return and compared with the original records. Any discrepancies must be reported, in writing, to the Chief of Police.
- f. Assignment of controlled substances to the K-9 unit for training will only be done with the authorization of the Chief of Police. A copy of the authorization must be in the possession of any K-9 member taking the items out of storage for training.

Michael Jackson

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Chief of Police