



Central Evidence Receiving Standard Operating Procedures

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**Revised Date: November 19, 2012
Effective Date: January 1, 2013**

CL-CER-2013.0

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Goals and Objectives

The Central Evidence Receiving (CER) Section of the Houston Police Crime Laboratory functions in a support role for the forensic sections of the laboratory. The Section receives evidence and found narcotics, documents the associated information, provides storage and inventory of the evidence, ensures that evidence is made available in a timely manner when needed and ultimately oversees the destruction of narcotic evidence.

The information contained in this document is intended to supplement the information found in the Quality Assurance Manual, and in turn, the General Orders of the Houston Police Department.

It is the responsibility of each member of **the CER Section** to be knowledgeable and able to provide service to customers in all areas of responsibility associated with this section.

The objectives of the Central Evidence Receiving Section are:

1. To make priority requests available within one hour of each request
2. To make normal requests available within one business day of each request
3. To maintain a current inventory of items under the Section's span of control
4. To accurately maintain records of items received, transferred and destroyed
5. To research adjudicated and found narcotics cases for the purpose of evidence destruction on an ongoing basis

Evidence

1. Sources
 - a. Satellite Locations
 - i. Narcotic depository boxes are located at various department facilities in the City.
 - ii. These boxes may be brought to the CER Section at various times throughout the workweek.
 - iii. A minimum of two individuals should be present for the boxes to be opened. These individuals will consist of at least one representative of the CER staff and the officer(s) delivering the box.
 - iv. The contents of the box will be verified against the inventory provided by the officers delivering the box. Both submitting officers and the CER staff members will sign the inventory list.
 - v. A copy of the signed inventory list will be maintained by the CER Section.
 - b. 1st Floor Boxes
 - i. Lock-boxes located on the first floor of the 1200 Travis Headquarters Building are utilized for the submission of evidence to the CER Section.
 - ii. Evidence from this location should be retrieved once each workday by at least two crime laboratory employees. At least one of these individuals should be from CER.
 - iii. When each box is opened, the contents will be verified against the inventory log completed at the time the evidence was deposited by the submitter.
 - iv. All deviations from the inventory log will be documented.
 - v. The date and time the evidence is retrieved by CER will be recorded.
 - vi. The lockboxes should be locked after evidence retrieval each morning and reopened at the end of the day so they are available while CER is closed.
 - c. Direct Submission
 - i. Evidence may be submitted directly to the CER Section during normal business hours or on a 'Call-Out' basis.
 - ii. The submitter will be required to appropriately package, seal and document the items being submitted.
 - iii. Occasionally items are submitted directly that require the immediate attention of the Controlled Substance Section (CS). The CS Lab Manager or his/her designee will be notified of the submission. This evidence will be released to the appropriate CS employee as soon as the submission is complete.
2. Integrity of Evidence Submitted
 - a. Properly Sealed
 - i. An item is considered properly sealed if the packaging protects the item(s) from loss, cross-contamination or deleterious change. For an item to be properly sealed, the closure of the packing must be such that tampering with

the closure would be readily apparent to an individual involved with the processing or handling of the evidence. **Additionally, the seal(s) must be initialed by the individual sealing the package.**

- b. Remedial Seals
 - i. Items that are submitted which are not properly sealed may be remedially sealed by placing a new, proper seal to ensure the item(s) is protected from loss, cross-contamination or deleterious change from that point forward.
 - ii. Blue tape should be used for remedial seals. The seal requires the initials of the individual placing the seal on the item.
 - iii. Typically, a remedial seal will be placed perpendicular to the original.
 - iv. In lieu of using blue evidence tape, remedial seals will be initialed and dated by the individual placing the seal on the package. The new seal will also be labeled 'remedial' to make it readily apparent to subsequent observers that it is not original to the packing.
 - c. Item Inventory
 - i. The integrity of evidence may be in question if the packaging is not properly sealed, evidence is leaking, pill bottles are not properly closed and/or there is a discrepancy between what is listed on the evidence submission and what is physically present.
 - ii. Should an item be identified where the integrity of the original submission is in question, the submitting officer will be notified immediately regarding the integrity of the evidence and the need for his corrective action. If the submitting officer is not responsive, his/her supervisor will be notified of corrective action needed.
 - iii. Should there be no response from the submitting officer or the supervisor, two CER employees may inventory the item simultaneously. Both individuals will document the inventory in the case record and initial and date the remedial seal(s) placed on the item.
 - d. Storage Conditions
 - i. Some items of evidence such as biological materials received in the CER Section may require specific storage conditions.
 - ii. Toxicology specimens will be stored under refrigeration for a period of at least one year from the date of offense. Upon approval/direction from the Toxicology Section Manager, or his/her designee, these specimens may be moved to room temperature after one year.
3. Evidence Management System (EMS) Entry
- a. Data Entry
 - i. The information associated with cases submitted to the CER Section will be entered into the EMS. Every effort will be made to enter this information within one business day of the submission of the items.
 - ii. CER staff members are required to log off of the EMS when they are not currently using an open session.
 - iii. Information entered into the EMS should include, but is not limited to:
 - 1. Incident Number

2. Submitting Officer and/or Division Case Officer (if available)
 3. Date/Time of Offense (if available)
 4. Offense (if available)
 5. Date/Time of Collection (if available)
 6. Location of the Submission
 7. Packaging Information for each discrete item
 8. Item Type(s)
 9. Item Description(s)
- iv. In instances where the case already exists in the EMS, the individual will verify that additional, supplemental information is not needed to the overall case. Each new discrete evidence item will be added to the system.
 - v. The unique barcode for each discrete item of evidence will be placed on the item at the time that submission is entered into the EMS.
- b. Verification of Accuracy
 - i. Each individual making entries into the EMS is responsible for ensuring the information is accurate and complete based on the information that is available at that time.
 - ii. Periodically, cases entered may be reviewed by the supervisor or his/her designee against the original submission information. This may be done via a summary report generated from EMS or by opening individual cases in the system and reviewing them against the submission documentation.
 - c. Correction of Identified Issues
 - i. When issues are identified that must be corrected, the individual responsible for the original entry will be responsible for making the necessary changes whenever possible.
 - ii. If the change requires permissions beyond that of the individual having made the error, documentation will be provided by the individual requesting the change to a LIMS administrator, stating the nature of the issue, what needs to be changed, the current entry and what information is being added to the system.
 - iii. Whenever possible, documentation supporting changes will be recorded in the EMS.
4. Evidence Storage
- Evidence that is submitted to the CER Section of the laboratory may be maintained in three separate areas. The location of each individual item will be recorded in the Evidence Management System. Any associated paperwork will be provided to the Administrative Section of the Laboratory.
- a. CER

Items maintained in the CER area of 1200 Travis are typically those awaiting analysis, recently analyzed, pending destruction or bulky/**excess quantity** cases.
 - b. 33 Artesian

The storage area located on the third floor of 33 Artesian generally contains items that have been analyzed. These items may be subject to destruction, but

must be researched in order to verify the status of any charges related to the evidence.

c. Property Room

Items transferred to the main property room facility are outside the control of the laboratory. These items generally have been analyzed or are not subject to analysis.

Inventory Management

1. Documentation
 - a. The inventory of the CER Section is maintained using paper chain of custody prior to September 30th, 2009. From that date forward, the chain of custody has been maintained using the electronic EMS. The movement of evidence must be recorded by scanning the evidence barcode and noting the current physical location. This may be a static location or the custody of an individual.
 - b. Additional documentation related to a case may be stored in the case record as defined in the Quality Assurance Manual.
 - c. Paper documentation not associated with the receipt of evidence from outside the lab or the destruction of evidence should not be stored in CER work area.
 - d. Physical case records may not be stored in the CER area without a specific purpose and the term for which they are kept should not be open ended. An example of this is evidence that is pending destruction.
2. Level of Responsibility
 - a. Each team member in CER shares the responsibility to ensure all evidence under the control of the section is protected from loss, cross-contamination or deleterious change.
 - b. If there is cause for concern regarding items in the section, there is a responsibility on the part of the individual to address that concern. Examples of these situations include but are not limited to:
 - i. Improper or compromised evidence seals
 - ii. Items that are not stored in the appropriate locations
 - iii. Items that have become misplaced from the designated location for that item
 - c. When potential issues are identified, the issue should be directly addressed. If the concern is on-going or could compromise the integrity of evidence, it will be called to the attention of the Quality Assurance Manager and the Section Supervisor.
3. Audits
 - a. Audits of the inventory may be performed intermittently throughout the year, at the request of the Quality Assurance Section, the section supervisor, the Lab Director, or an outside division of the HPD such as Inspections or Internal Affairs.
 - b. Audits are considered to be an indispensable tool to verify the accuracy of the system in tracking the items in the EMS.
 - i. Audits may be performed based on specific locations, specific cases, random locations or random items.
 - ii. Documentation associated with audits of the CER Section will be maintained and retrievable.
4. Disaster Recovery
 - a. Loss of the EMS
 - i. The Technology Services Division has the responsibility of maintaining the EMS, ensuring backups are maintained, and restoring service should it be lost.

- ii. It is recommended that the CER section maintain supplemental inventory documentation outside of the EMS that may be utilized should the system be unavailable.
- iii. Paper documentation will be available to record transactions regarding evidence should the EMS be unavailable. Copies of this documentation will be retained by CER so that the information can be placed in the EMS once the system is available. Should this be required, the original documentation will be maintained in the case record.

Should paper documentation be required, it will record the date and time of evidence transfers, the location or individual an item is being transferred to as well as the individual facilitating the transfer.

Requests for Evidence

1. Pull Lists
 - i. Requests to have items made available for analysis may be submitted by the Controlled Substance (CS) Manager or his/her designee.
 - ii. Requests for items may be submitted fully electronically through the EMS, or by supplemental means which provide the incident number, item identifier, item description and the location of the items requested. A lab number may be provided if one is available.
 - iii. Items requested via Pull Lists should be available within one business day of the acknowledgement of the request by CER.
 - iv. Whenever possible, the analyst assigned to work the case should be recoded on the pull list.
2. Priorities
 - i. These cases are typically those that require the immediate attention of a CS analyst due to the nature of the evidence or urgency associated with the results of analysis.
 - ii. Items of evidence entrusted to the CER Section may be designated as a 'Priority' at any point in response to a customer request. Once identified as a priority, the associated items will be made available as quickly as possible, typically in advance of other items.
 - iii. If CS is not aware of the priority, the CS manager or his/her designee will be notified.
 - iv. Priority status should never be used in lieu of a general pull list that is supplied in a timely manner.
3. Checking Out Evidence
 - a. To an analyst
 - i. Items to be checked out by an analyst must have been previously identified via a pull list or as a priority.
 - ii. While analysts may maintain additional documentation if they so desire (i.e. – paper chain of custodies or transfer receipts), the official documentation of the transaction will be the electronic record maintained by the EMS.
 - iii. Evidence transfers will be recorded by scanning the evidence barcode at the time of the transfer between CER staff and analysts.
 - iv. Analysts receiving evidence are strongly encouraged to verify the physical items using the available, reproducible, transaction receipt.
 - v. Analysts may come to the CER section at any time to request items, but it is strongly encouraged that they call in advance to verify the availability of staff to provide them service. Typically, this is done two days/week.
 - vi. Any information associated with the transfer that must be maintained will be entered into the EMS.
 - b. To an Agency

Evidence cannot be released to an outside agency by the laboratory if it was submitted by an HPD officer. An HPD officer must first accept the evidence which he/she may then release to the outside agency. The officer will sign for the receipt of the evidence and supply identification to verify his/her identity upon request. **The agency representative will then sign the receipt of evidence. In the event the appropriate HPD officer is not available to accept the evidence in person, written authorization must be obtained by the HPD officer specifying which item(s) of evidence may be released. A copy of this authorization will be placed in the case record. The agency representative will sign the receipt of evidence.**

- i. An exception to this policy may be made if the process for releasing the evidence is specified in a court order. **A copy of the court order and a copy of the receiving party's form of identification will be placed in the case record. The individual receiving the evidence will sign the evidence receipt.**
- ii. When evidence has been analyzed by the crime laboratory, it may be inventoried by the analyst prior to release. **This decision will be made by the analyst or the analyst's supervisor.**

c. Released to Owner

On occasion, evidence may be released to the owner. **Procedures for complying with court orders as specified in the Crime Lab Quality Manual will be followed.**

- i. The individual will be required to present the original court order. **CER personnel will review the court order thoroughly before releasing evidence. If something is not clear, do not release the evidence without consulting with the section supervisor, the Quality Manager, or the Lab Director. Additionally, the prosecutor may be contacted for clarification.**
- ii. **The receiving party will present a valid form of identification and sign the receipt of evidence.**

4. Checking In Evidence

d. From an Analyst

- i. Analysts may return evidence to the CER Section at any time during the normal working day. However, they are strongly encouraged to call and verify the availability of staff to accept their evidence.
- ii. Items that already exist in EMS will not be transferred to "Received in CER" upon their return. They will be transferred to a physical location or into an individual's custody at the time of the transfer.
- iii. Employees are strongly encouraged to verify the items transferred against the reproducible transaction receipt at the time the evidence is returned.
- iv. Any information associated with the transfer that must be maintained will be entered into the EMS.
- v. Each unique item of evidence must be accounted for via the electronic chain of custody when items of evidence are returned to CER following analysis.
- vi. It is the responsibility of the individual receiving evidence that has not been under the direct control of CER to verify each item is properly sealed.

- vii. Evidence returned to CER by an HPD employee that has not been properly sealed will be refused until the identified issue has been corrected. CER will supply any necessary packing supplies in order to facilitate the correction of an issue identified.
- e. From an Agency
 - i. If the evidence outer seals have not been breached, the evidence may be accepted and filed as normal.
 - ii. If the outer seals have been compromised, additional seals have been placed on the proximal container, or the items have been repackaged, the appropriate section supervisor will be notified so that the contents may be re-inventoried.

Destruction of Evidence

1. Categories
 - a. 28-Day Letters
 - a. The destruction of excess quantities will be performed in accordance with HSC 481.160.
 - b. When the 28-Day Letter is issued, the person(s) accepting responsibility for the letter will ensure that:
 - i. The appropriate photographs are present in the case record.
 - ii. The total weight has been recorded in the examination documentation.
 - iii. A final report is available in the case record.
 - iv. A 'Representative Sample' has been submitted to CER.
 - c. Notification of the intent to destroy the evidence will be sent to the Harris County District Attorney's Office as a courtesy. This notification will include the following, if available:
 - i. The associated cause number(s)
 - ii. Court number
 - iii. Incident number and if applicable, lab number
 - iv. Suspect name(s)
 - v. A description of the evidence to be destroyed
 - vi. A date after which the evidence will be destroyed (at least 28 days from the issuance of the letter).
 - vii. The signature of the person(s) issuing the letter. A letter may be signed by more than one individual.
 - b. Court Ordered Destructions
 - i. The items associated with cases which have been adjudicated may be subject to destruction.
 - ii. In order for the items associated with the case to be destroyed, the section supervisor, or his/her designee, must do the following:
 1. Verify that all cause numbers associated with any individual related to the case have been adjudicated.
 2. Generate copies of the documentation showing the status of each cause number from the Justice Information Management System (JIMS) or other appropriate data source.
 3. Generate a court order requesting the case be destroyed.
 4. Pass the finalized court order along with the supporting documentation, to include the final report and full item descriptions, to the District Attorney's Office. (keep a copy)
 - iii. Destruction is predicated by the return of the finalized, approved destruction order from the Court. These orders will be signed by the court as well as the District Attorney's Office.

- iv. To document the destruction of evidence, the “Houston Police Department Order of Forfeiture and Destruction of Controlled Substances” (DO) will be completed
 - v. Destruction Orders will be identified by, at a minimum, the date of the destruction. This may be supplemented by the first Incident Number if it encompasses multiple cases to allow for cross referencing the other cases to a single electronic case record.
 - vi. Cases where charges were declined must still be researched and submitted to the District Attorney to ensure no other charges, possibly for other defendants, are pending.
 - c. No Analysis Required
 - i. CER will place the evidence into destruction when the evidence submission form indicates "Destroy/No analysis needed"
 - ii. Prior to destruction, CER must verify through JIMS that there are no outstanding charges associated with the case.
 - iii. If any charges exist, the items will be subject to a court order as stated above.
 - d. Outside or Unknown Jurisdiction
 - i. An interoffice correspondence shall be sent to the submitting officer requesting information on the disposition.
 - ii. If an officer declares that evidence in a case is no longer needed for court or investigation and can be destroyed, then it is not necessary to obtain a court order before destroying the evidence.
 - iii. A “Destruction Notice” can be prepared. Written documentation of the destruction authorization will be retained in the case record.
 - iv. There may be times when circumstances do not fall within these guidelines. When this occurs, consult the section supervisor.
2. Destruction
- a. Random Reanalysis
 - i. As a part of the Quality Assurance Program, the Quality Assurance Section should be notified of the intended evidence destruction. The QA Manager, or his/her designee, may request that items be reanalyzed or reweighed prior to destruction.
 - b. Staging
 - i. Items to be destroyed should be placed in logical order (i.e. – by incident number and item number) relative to the documentation generated for the destruction.
 - ii. Prior to the destruction, the items to be destroyed should be verified using the prepared documentation (destruction order) to ensure a smooth, accurate and efficient process.
 - b. Required Documentation
 - i. An individual independent of the process should review the documentation associated with each case identified for destruction and verify that the appropriate steps have been taken.

- ii. Each destruction order will document:
 - 1. The individual, unique identifiers of items that are to be destroyed.
 - 2. The date and time of the destruction.
 - 3. The signatures of witnesses to the destruction.
 - 4. Documentation is notarized.
 - 5. The location at which the items are to be destroyed.
 - iii. The destruction of each item will be documented in the case record.
 - iv. After destruction is completed, verification team members must attest under oath that they observed the complete destruction process. Affidavits will be signed by each of the verification team members. These will be notarized.
- c. Logistic Considerations
- i. At least one week in advance of any evidence destruction, the CER manager, or his/her designee, will ensure the following:
 - 1. A firm date is available with the facility to perform the destruction.
 - 2. Transportation adequate for the volume of drugs to be destroyed has been secured.
 - 3. Parking is secured for the vehicle to be used.
 - 4. SWAT has confirmed their availability on the date identified to guard the loading, transportation and destruction of the evidence.
 - 5. Three lieutenants are available to witness and document the destruction process.
 - 6. Sufficient manpower is available to facilitate the loading and unloading of the evidence.

Canine Training Samples

1. Requests may be received for drugs to be utilized in the course of training K-9s.
2. The request should state the type of narcotics desired and the weight needed.
3. The officer will identify disposed or destruction cases and present a list of potential cases from which the drugs may be taken.
4. CER will verify that the evidence requested is subject to destruction.
 - a. Ideally the cases are submitted for destruction.
 - b. It is the responsibility of the CER manager, or his/her designee, to verify there are no outstanding charges associated with the case.
5. If the evidence that has been requested requires a court order, it is the responsibility of the officer making the request to secure the necessary documentation from the courts. This order should be addressed to the CER manager, authorizing the release of evidence for this purpose.
6. **Prior to release of samples, the identity of the sample will be confirmed by an analyst from the Controlled Substances Section of the Crime Lab.**
7. CER will facilitate the repackaging of evidence to meet the request made by the K-9 officer.
8. Each item will be treated as a unique item of evidence in EMS and supplied a barcode.
9. Each package is weighed and transferred to the officer using EMS.
10. An expected date of return should be established for items, typically six months.
11. When the packages are returned, the weights are again recorded as a comment in EMS during the evidence transfer.
12. Any discrepancies, including damage to the package, must be documented and an incident number assigned. This incident will include a description of the discrepancy and record any actions taken in response.
13. Any returned items **shall** be assigned for reanalysis by the Controlled Substances **Section** manager or his/her designee. Alternatively, the items may be destroyed following accepted destruction protocol

Call-Outs

1. Call-outs occur when evidence is being submitted to the Central Evidence Receiving Section during off work hours.
2. Typically, CER Staff will be notified of the call-out based upon a rotating schedule established by the section manager or his/her designee.
3. Call-outs may be routed through the Command Center. The Command Center will notify individuals on the call-out roster of incoming narcotics evidence.
4. While recommended, it is not necessary that multiple representatives of the section attend each callout. A single person may handle a callout. **If the responding individual determines that additional assistance is needed, he/she shall contact the section supervisor for authorization.**
5. Items will be logged into the section according to the established procedures.

Security

1. Alarm Codes

The CER Section is protected by an alarmed security system. Alarm codes are issued by the City upon request by the Laboratory Director or his/her designee. Alarm codes may be used to activate or deactivate the alarmed security over one or more sections of the laboratory at any time. CER is only one of several separate alarmed secure areas under the control of the Crime Laboratory.

2. Magnetic Locks

Electronic, magnetic locks control access to the CER area. These are controlled using badges which are specific to each employee. The days and times the badges are able to access the work areas are defined by the City upon the request of the Laboratory Director or his/her designee.

3. Key Access

Although access to the section is controlled by the magnetic lock system, the legacy keyed access remains in place. Even though individuals may have keys to the locks associated with the doors to CER, they may not open the doors without the appropriate access associated with the card readers.

4. Sign-In Logs

An individual who does not have card access to the CER Section is required to sign into the section upon entry. All non-laboratory employees must be escorted at all times. It is highly recommended that all laboratory employees not assigned to the section be escorted.

Permission from the CER manager, or his or her designee, must be granted before a non-CER laboratory employee is left unattended in the section.