

ORDINANCE NO. 201

AN ORDINANCE AMENDING TITLE 6, "LAW ENFORCEMENT", CHAPTER ONE "POLICE AND ARREST", BY ADDING SECTION 106 " EVIDENCE AND PROPERTY UNIT - STANDARD OPERATING AND PROCEDURE MANUAL" TO THE MOUNT CARMEL MUNICIPAL CODE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

SECTION I. That section 6-106 of the Code of Ordinances shall read as follows:

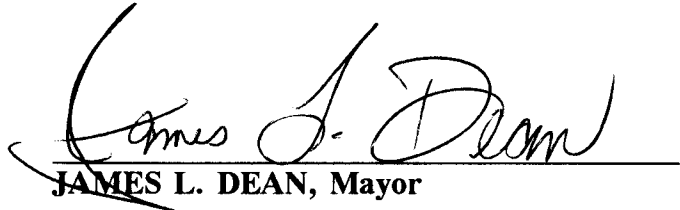
6-106. Evidence and Property Unit - Standard Operating and Procedure Manual. The Town of Mount Carmel, Tennessee Police Department Evidence and Property Unit - Standard Operating and Procedures Manual, 1998 Edition, is hereby adopted by reference and included as a part of this Code as the official policy of the Town of Mt. Carmel and all approved amendments thereto, and is to be used by all members and employees of the Mt. Carmel Police Department in carrying out the duties, responsibilities, and obligations imposed upon them by law of necessarily assumed in carrying out the department's objectives.

SECTION II. LEGAL STATUS PROVISIONS.

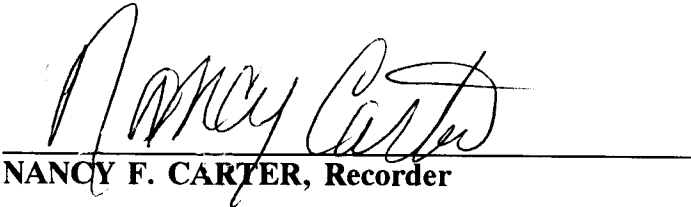
A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

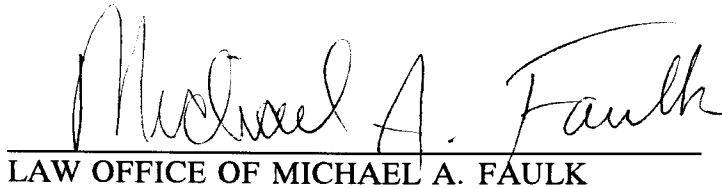
C. Effective Date. This ordinance shall become effective upon passage, the public welfare requiring it.


JAMES L. DEAN, Mayor

ATTEST:


NANCY F. CARTER, Recorder

APPROVED AS TO FORM:


LAW OFFICE OF MICHAEL A. FAULK

12-17-98

FIRST READING	AYES	NAYS	OTHER
WAYNE ALLEY	✓		
HENRY BAILEY	✓		
EUGENE CHRISTIAN	✓		
JAMES DEAN, MAYOR	—		
GARY LAWSON	absent		
THOMAS WHEELER	✓		
CARL WOLFE	✓		
TOTALS			

PASSED FIRST READING: 12-17-98

SECOND READING	AYES	NAYS	OTHER
WAYNE ALLEY	✓		
HENRY BAILEY	✓		
EUGENE CHRISTIAN	✓		
JAMES DEAN, MAYOR	—		
GARY LAWSON	✓		
THOMAS WHEELER	✓		
CARL WOLFE	✓		
TOTALS			

PASSED SECOND READING: 1-28-99

PUBLICATION AFTER PASSAGE:

DATE:

3-3-99

NEWSPAPER:

Kingsport Times News

MOUNT CARMEL POLICE DEPT.
EVIDENCE AND PROPERTY UNIT
STANDARD OPERATING AND PROCEDURE MANUAL
1998 EDITION



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CHAPTER I DEFINITIONS

A. EVIDENCE STORAGE UNIT - THOSE AREAS EXCLUSIVELY DESIGNATED FOR THE STORAGE AND PRESERVATION OF ITEMS OF EVIDENCE OF PROPERTY.

B. EVIDENCE STORAGE BAGS- PLASTIC BAGS SUPPLIED BY THE DEPARTMENT FOR STORING EVIDENCE WITH LABELING INFORMATION AND CHAIN OF POSSESSION

C. INDIVIDUAL AND EVIDENCE LOCKERS- LOCKERS AND LOCKS ASSIGNED TO INDIVIDUAL OFFICERS TO STORE EVIDENCE AND PROPERTY PRIOR TO EVIDENCE BEING TURNED OVER TO THE EVIDENCE COORDINATOR

D. EVIDENCE STORAGE ROOM- THE ROOM DESIGNATED TO STORE EVIDENCE OR PROPERTY PRIOR TO COURT PROCEEDINGS AND OR DISPOSAL OF EVIDENCE OR PROPERTY BY COURT ORDER.

E. DRUG/NARCOTIC- ANY SUBSTANCE USED IN THE COMPOSITION OF MEDICINE, MEDICINES THEMSELVES, OR ANY SUBSTANCE CAPABLE OF PRODUCING STUPOR, INSENSIBILITY, HALLUCINATIONS, OR NON-ALCOHOLIC INTOXICATION.

F. ALCOHOL- THOSE BEVERAGES CAPABLE OF PRODUCING INTOXICATION AND WHICH CONTAIN AS A MAJOR INGREDIENT THE SUBSTANCE KNOWN AS ALCOHOL. THOSE INCLUDE, BUT ARE NOT LIMITED TO, BEER, LIQUOR, VODKA, WINE, TEQUILA, AND ANY COMBINATION OF THESE.

G. ALARM- A MECHANICAL/ELECTRICAL DEVICE UTILIZED FOR THE PURPOSE OF PROVIDING NOTICE OF INTRUSION TO A SECURE ENVIRONMENT BY THE USE OF MOTION, TEMPERATURE AND CONTACT DEVICES WHICH WHEN ACTIVATED WILL EMIT BOTH AN AUDIBLE AND BREECH OF SECURITY SIGNAL.

**H. EVIDENCE FORMS- THE MOUNT CARMEL POLICE DEPT. FORM TITLED "EVIDENCE INVENTORY/CHAIN OF CUSTODY"
THE "NOTICE OF VIOLATION OF EVIDENCE PROCEDURES"
THE "CLAIM FOR FOUND/ABANDONED PROPERTY"**

I. EVIDENCE COORDINATOR- THAT EMPLOYEE OF THE MOUNT CARMEL POLICE DEPARTMENT HAVING PRIMARY RESPONSIBILITY FOR THE INTAKE, IDENTIFICATION, CONTAINMENT, STORAGE, INVENTORY CONTROL, DISPENSING, AND DISPOSAL OF ALL ITEMS OF EVIDENCE/PROPERTY COMING INTO THE CONTROL OF THE MOUNT CARMEL POLICE DEPARTMENT.

J. FOUND/ABANDONED PROPERTY- THAT PROPERTY WHICH HAS BEEN DETERMINED TO BE LOST OR ABANDONED AND WHICH IS NOT KNOWN OR SUSPECTED TO BE CONNECTED WITH ANY CRIMINAL OFFENSE.

K. EVIDENCE- THAT PROPERTY WHICH MAY BE RELATED TO A CRIME OF MAY IMPLICATE OR CLEAR A PERSON OF A CRIMINAL CHARGE.

L. FIREARMS- THOSE WEAPONS DESIGNED TO PROPEL AN OBJECT THROUGH THE USE OF COMPRESSED GASES AND WHICH ARE INTENDED TO PRODUCE INJURY OR DAMAGE.

M. JEWELRY/PRECIOUS METALS- THOSE ITEMS OR OBJECTS WHICH BY THEIR NATURE ARE CONSIDERED TO BE OF MONETARY VALUE. THESE INCLUDE, BUT ARE NOT LIMITED TO, GOLD, SILVER, COINS, CURRENCY, GEMS, RARE METALS, AND ITEMS TO WHICH A MONETARY VALUE HAS BEEN ARTIFICIALLY AFFIXED SUCH AS GAMBLING CHIPS, PULL STUBS, AND TOKENS.

CHAPTER II CODE OF CONDUCT

A. THE OFFICE OF EVIDENCE COORDINATOR IS ONE OF EXTREME TRUST DUE TO THE NATURE OF THE ITEMS WHICH ARE PLACED IN HIS CARE. DUE TO THIS TRUST, THERE ARE CERTAIN EXPECTATIONS AND REQUIREMENTS OF THE PERSON WHO OCCUPIES THIS OFFICE.

1. HONESTY- IN THE COURSE OF DAY-TO-DAY OPERATIONS THE EVIDENCE COORDINATOR COMES INTO CONTACT WITH SIGNIFICANT AMOUNTS OF MONEY, DRUGS, JEWELRY, AND OTHER ITEMS OF VALUE WHICH CAN EXERT A TEMPTATION FOR PILFERAGE. THE PERSON APPOINTED TO THIS POSITION MUST AT ALL TIMES RESIST THESE TEMPTATIONS. IN ADDITION TO THE ITEMS THEMSELVES, INDIVIDUALS INVOLVED IN CASES IN WHICH EVIDENCE UNDER THE EVIDENCE COORDINATORS CONTROL IS INVOLVED MAY ATTEMPT TO INDUCE THE EVIDENCE COORDINATOR TO ALTER OR DESTROY EVIDENCE. IN THESE INSTANCES THE EVIDENCE COORDINATOR MUST NOT ONLY RESIST THE INDUCEMENT, BUT MUST IMMEDIATELY NOTIFY HIS SUPERVISOR AND OR THE CHIEF-OF-POLICE.

2. CONFIDENTIALITY- BECAUSE THE EVIDENCE COORDINATOR IS IN CLOSE PROXIMITY TO AND HAS ACCESS TO INFORMATION CONTAINED IN VARIOUS CRIMINAL INVESTIGATIONS, THE EVIDENCE COORDINATOR MUST REFRAIN FROM ANY DISCUSSIONS WITH INDIVIDUALS OTHER THAN HIS IMMEDIATE SUPERVISOR OF INFORMATION CONTAINED WITHIN CASE FILES, ANY DISCLOSURES OF ITEMS IN THE EVIDENCE ROOM, RESULTS OF LABORATORY TESTING, NAMES OF SUSPECTS, DEFENDANTS, OR VICTIMS, OR ANY OTHER INFORMATION WHICH MAY HAVE COME TO HIS ATTENTION BECAUSE OF HIS POSITION AS EVIDENCE COORDINATOR OR AS AN EMPLOYEE OF THE MOUNT CARMEL POLICE DEPARTMENT.

3. INTEGRITY- BECAUSE OF THE SENSITIVITY OF THE EVIDENCE COORDINATORS POSITION, HE MUST MAINTAIN HIS LIFESTYLE IN A MANNER WHICH IS BEYOND SUSPICION OR REPROACH. THIS ENCOMPASSES NOT ONLY HIS "WORKING HOURS" BUT ALSO THOSE HOURS WHEN HE IS "OFF-DUTY" AND AWAY FROM THE DEPARTMENT. THE EVIDENCE COORDINATOR SHOULD NOT PARTAKE OF ALCOHOL IN EXCESS; MUST NOT DISTRIBUTE OR USE ILLEGAL DRUGS IN ANY FORM; MUST NOT ABUSE PRESCRIPTION MEDICATIONS; MUST NOT PARTICIPATE IN ILLEGAL GAMBLING OR GAMING; AND MUST PROPERLY MANAGE HIS FINANCES SO AS NOT TO CREATE SITUATIONS WHICH COULD LEAD TO TEMPTATIONS OR ATTEMPTS BY OTHERS TO SOLICIT "FAVORS" FOR MONETARY RETURN.

4. IMPARTIALITY- BECAUSE THE EVIDENCE COORDINATOR MUST FUNCTION WITH EACH OPERATING UNIT IN THE DEPARTMENT, THE EVIDENCE COORDINATOR MUST REMAIN IMPARTIAL, NOT AFFORDING SPECIAL PRIVILEGES TO ONE UNIT OR PERSON NOT ALLOWED TO ALL. IN LINE WITH THIS, DEPARTMENT REGULATIONS ARE TO BE ENFORCED AND OBEYED BY ALL EMPLOYEES, MOST ESPECIALLY REGULATIONS ADDRESSING ACCESS AND/OR ADMISSION TO THE EVIDENCE ROOM.

5. TRUTHFULNESS- THIS IS A COMPANION TRAIT WITH HONESTY AND IS JUST AS IMPORTANT. THE EVIDENCE COORDINATOR MUST BE TRUTHFUL IN ALL COMMUNICATIONS WHETHER WRITTEN OR VERBAL, IRREGARDLESS OF ITS BEING POSITIVE OR NEGATIVE IN NATURE. EXAGGERATION, MISINFORMATION, LYING, AND OR DECEIT ARE QUALITIES WHICH WILL NOT BE TOLERATED BY THE MOUNT CARMEL POLICE DEPARTMENT IN ITS EMPLOYEES AND MOST ESPECIALLY NOT IN THE OFFICE OF EVIDENCE COORDINATOR.

CHAPTER III PROCEDURE FOR INTAKE OF EVIDENCE/PROPERTY

THE FOLLOWING IS A STEP BY STEP DESCRIPTION FOR RECEIVING NEW ITEMS INTO THE MAIN EVIDENCE ROOM. WHERE VARIATIONS APPLY TO THE OTHER UNIT AREAS, A NOTE TO THAT EFFECT WILL BE MADE.

A. DEACTIVATE EVIDENCE ROOM ALARM SYSTEM.

B. UNLOCK SECURITY DOOR AND ENTER EVIDENCE ROOM.

C. INDIVIDUAL OFFICERS REMOVE EVIDENCE ITEMS FROM PERSONAL LOCKERS, PLACED IN EVIDENCE BAGS, LABELED, DATED, WITH ASSIGNED INCIDENT NUMBER.

D. COMPLETE THE MOUNT CARMEL POLICE DEPARTMENT EVIDENCE INVENTORY/CHAIN OF CUSTODY FORM. TO BE FILED WITH THE EVIDENCE COORDINATOR.

E. ADD EVIDENCE ITEM(S) TO THE EVIDENCE LOG AND SUPPLY EVIDENCE WITH AN EVIDENCE NUMBER FROM THIS LOG.

F. REVIEW EVIDENCE SUBMITTED AND COMBINED ITEMS THAT MAY HAVE BEEN SEPARATED, SUCH AS VIDEO TAPES, LBAs, AND ALCOHOL/DRUGS FROM DUI CASES.

**G. TO COMPLETE THE EVIDENCE INVENTORY /CHAIN OF CUSTODY FORM:
NOTE-- THIS WILL BE A LINE-BY-LINE EXPLANATION ON COMPLETEING THIS FORM.**

1. INCIDENT NUMBER-- THIS NUMBER IS ASSIGNED BY THE INDIVIDUAL OFFICER BY PLACING THE INCIDENT/COMPLAINT ON THE COMPLAINT LOG,DUE TO THE OFFICE ADMINISTRATOR AT THE END OF EACH OFFICERS SHIFT.

2. DATE INTO EVIDENCE ROOM-- THIS IS THE DATE THE ITEM IS PHYSICALLY RECEIVED INTO THE EVIDENCE ROOM BY THE EVIDENCE COORDINATOR.

3. TIME IN-- THIS IS THE TIME THE ITEM IS PHYSICALLY RECEIVED INTO THE EVIDENCE ROOM BY THE EVIDENCE COORDINATOR.

4. EVIDENCE ID NUMBER-- THIS IS A NUMBER ASSIGNED BY THE EVIDENCE COORDINATOR AFTER ENTERING THE ITEM ON THE EVIDENCE LOG.

5. DATE PROPERTY ACQUIRED-- THIS IS THE DATE THE SUBMITTING OFFICER ACQUIRED THE EVIDENCE. TAKEN FROM THE EVIDENCE INVENTORY/CHAIN OF CUSTODY.

6. SOURCE FROM WHICH PROPERTY ACQUIRED-- THIS IS TAKEN FROM THE EVIDENCE INVENTORY FORM AND WILL BE THE NAME OF THE QWNER,COMPLAINANT, VICTIM, OR DEFENDANT FROM WHICH THE PROPERTY WAS OBTAINED.

7. SUBMITTING OFFICER-- THIS IS THE FIRST INITIAL AND LAST NAME OF THE OFFICER SUBMITTING THE PROPERTY FOR STORAGE.

8. EVIDENCE COORDINATOR— FIRST INITIAL AND LAST NAME OF THE COORDINATOR RECEIVING AND LOGGING-IN THE PROPERTY.

9. DESCRIPTION OF PROPERTY— THIS MUST BE AN ACCURATE DESCRIPTION OF EACH ITEM TO BE STORED UNDER THIS EVIDENCE ID NUMBER. INCLUDE MAKE MODEL, COLOR, SIZE, AND SERIAL NUMBER OF EACH ITEM.

A. ALL ITEMS OF NARCOTIC OR DRUG NATURE WILL BE WEIGHED AND OR COUNTED. THIS WILL BE NOTED AN THE LINE FOR PROPERTY DESCRIPTION.

B. IF THE NUMBER OF ITEMS RECEIVED EXCEEDS 15, A SEPERATE FORM WILL BE USED FOR THE ADDITIONAL ITEMS.

10. LOCATION— THIS IS THE EXACT LOCATION THE ITEM IS STORED IN THE EVIDENCE ROOM. LABELED BY DEFENDANT LAST NAME, OR OWNER LAST NAME, AND PLACED IN THE EVIDENCE ROOM BY THE EVIDENCE COORDINATOR IN ALPHABETICAL ORDER BY STATED LAST NAME, IN DESIGNATED LOCATIONS BY ALPHABETICAL ORDER.

11. CHAIN OF CUSTODY— THIS IS COMPLETED EACH TIME THE ITEMS ARE REMOVED FROM THE EVIDENCE ROOM AND AGAIN UPON THEIR RETURN.

A. ITEM NO.— USE THE NUMERIC LINE LISTING FOR EACH ITEM BEING REMOVED OR RETURNED.

B. DATE/TIME — THE DATE /TIME THE ITEM(S) ARE REMOVED OR RETURNED.

C. RECEIVED BY—SIGNATURE OF THE OFFICER REMOVING THE ITEM(S) FROM THE EVIDENCE ROOM OR THE COORDINATOR UPON THE ITEM(S) RETURN.

D. POSITION— OFFICERS RANK WITHIN THE DEPARTMENT

E. REASON— THE PURPOSE OF THE ITEM(S) REMOVAL OR RETURN. EX.; COURT, ANALYSIS, DISPOSAL, RETURN TO OWNER, STORAGE.

F. DESTINATION— FOR ITEM(S) REMOVED, THIS SHALL BE THE INTENDED DESTINATION, SUCH AS ALL COURTS, FOR ITEMS BEING RETURNED THIS SHALL BE THEIR ORIGINAL STORAGE LOCATION WITHIN THE EVIDENCE ROOM.

12. METHOD OF DISPOSAL— THIS SHALL BE COMPLETED WHEN THE EVIDENCE IS NO LONGER NEEDED TO BE HELD. ENTER THE ACTUAL METHOD USED TO DISPOSED OF THE ITEMS.

13. DATE OF DISPOSAL— THE ACTUAL DATE OF THE ITEMS WERE DISPOSED OF.

14. DISPOSING OFFICER— THIS SHALL BE THE EVIDENCE COORDINATORS NAME.

15. WITNESS— THIS MAY BE ANOTHER OFFICER NOT ENVOLED WITH THE CASE OR AN INTERNAL AFFAIRS OFFICER (FOR DRUGS/NARCOTICS).

H. PACKAGING OF EVIDENCE/PROPERTY— IF NOT ALREADY PACKAGED, PLACE THE ITEM(S) IN AN APPROPRIATE SIZED EVIDENCE BAG AND LABEL ALL THE APPROPRIATE INFORMATION ON THE OUTSIDE OF THE EVIDENCE BAG. IF THE ITEM IS TO LARGE FOR PACKAGING ATTACH AN EVIDENCE TAG TO THE ITEM WITH THE DATE AND EVIDENCE ID NUMBER ON THE TAG.

1. PRIOR TO PACKAGING ITEMS SUCH AS PLANT MATERIAL, PILLS, POWDER, OR PLANTS, THE EVIDENCE COORDINATOR SHALL COUNT AND OR WEIGH THE ITEMS USING AN APPROPRIATE DEVICE. THE RESULTS SHALL BE RECORDED ON THE EVIDENCE INVENTORY FORM.

2. ALL WEIGHTS SHALL BE ENTERED AS TOTAL WEIGHT, AS THE ORIGINAL PACKAGE AS WELL AS THE ITEM ARE WEIGHED TOGETHER.

I. AFTER THE EVIDENCE COORDINATOR RECEIVES THE EVIDENCE FROM DEPARTMENT OFFICERS THEN FROM THIS EVIDENCE AND CASE FILE THE EVIDENCE COORDINATOR SHALL COMPLETE THE EVIDENCE INVENTORY FORM AND A COPY WILL BE GIVEN TO THE OFFICER TO PLACE IN HIS/HER CASE FILE.

J. THE EVIDENCE COORDINATOR SHALL PLACE THE EVIDENCE/PROPERTY IN THE PREVIOUSLY DETERMINED LOCATION IN THE EVIDENCE ROOM.

1. THE EVIDENCE ROOM HAS SEVERAL MULTI-USE SHELVING AND STORAGE UNITS. THESE ARE IDENTIFIED BY NUMERIC AND ALPHABETICAL LABELING.

2. THE EVIDENCE ROOM IS SUPPLIED WITH A METAL CABINETE FOR THE STORAGE OF DRUGS/NARCOTICS.

3. THE EVIDENCE ROOM IS ALSO SUPPLIED WITH A LOCKING SAFE FOR THE SAFE KEEPING OF SEIZED CASH, AND VALUABLE PROPERTY SUCH AS JEWELRY, GOLD, SILVER, ETC...

K. A SEPERATE STORAGE FACILITY IS USED FOR MOTOR VEHICLES SEIZED BY THE MOUNT CARMEL POLICE DEPARTMENT. KNOWN AS THE WASTE WATER/SEWER TREATMENT PLANT, WITH ADEQUATE STORAGE SPACE FOR 20–25 VEHICLES. THIS STORAGE SPACE IS SURROUNDED BY A LOCKED GATE. THIS AREA IS ACCESSABLE TO OFFICERS BY USE OF A KEY KEPT IN A LOCK BOX AT THE MOUNT CARMEL POLICE DEPARTMENT.

CHAPTER IV RELEASE OF PROPERTY

RELEASE OF ITEMS IN THE CUSTODY OF THE EVIDENCE ROOM MAY BE REQUESTED FOR SEVERAL REASONS. PROCEDURES FOR EACH TYPE OF REQUEST ARE SET FORTH IN THE FOLLOWING.

A. OFFICER REQUESTED LABORATORY EXAMINATION-- THE EVIDENCE UNIT ALSO OPERATES AS THE MAILING POINT FOR ITEMS BEING SENT TO VARIOUS LABORATORIES FOR EXAMINATION. IN EACH CASE THE ITEMS ARE RECEIVED INTO THE EVIDENCE ROOM USING THE SAME PROCEDURES AS WITH ANY OTHER PIECE OF EVIDENCE. THE DIFFERENCE IS THAT INSTEAD OF PLACING THE ITEMS INTO STORAGE, THEY ARE PREPARED FOR MAILING TO THE LABORATORY FOR ANALYSIS. IN THESE INSTANCES THE SUBMITTING OFFICER WILL HAVE SUBMITTED EITHER A LABORATORY REQUEST FORM, (FOR THE TBI LABS) OR A LETTER OF REQUEST (IF THE ITEMS ARE BEING SENT TO THE FBI LABS). THE EVIDENCE COORDINATOR WILL COMPLETE THE EVIDENCE INVENTORY FORM ENTERING THE LABORATORY DESTINATION UNDER "LOCATION" AND WILL COMPLETE THE CHAIN OF CUSTODY" SECTION AT THE BOTTOM OF THE PAGE.

1. ITEM NO. -- THIS IS THE LINE NUMBER OF THE ITEMS BEING SENT TO THE LAB. MORE THAN ONE LINE NUMBER CAN BE ENTERED HERE.

2. DATE/TIME-- THIS IS THE DATE AND TIME THE ITEM IS BEING CHECKED OUT.

3. RECEIVED BY-- THIS WILL BE THE EVIDENCE COORDINATORS SIGNATURE.

4. POSITION-- THIS IS THE EVIDENCE COORDINATORS RANK IN THE DEPARTMENT.

5. REASON-- THE ENTRY HERE SHOULD BE "MAIL TO (TBI, FBI) OR IF THE ITEM IS FILM THE ENTRY WILL BE" PROCESSING "

6. DESTINATION-- THIS WILL BE THE LOCATION THE ITEM IS BEING SENT TO. FOR THE TBI THIS WOULD BE EITHER KNOXVILLE OR NASHVILLE. FOR THE FBI IT WILL BE WASHINGTON, DC.

UPON COMPLETION OF THE MAILING PROCESS, THE EVIDENCE COORDINATOR WILL MAKE AN ENTRY IN THE EVIDENCE INVENTORY FORM WHICH WAS MAILED IN THE "CHAIN OF CUSTODY" FIELDS.

B. RELEASE TO OFFICER FOR COURT-- THE MAJORITY OF EVIDENCE RELEASES WILL BE FOR THIS PURPOSE AND IN ALMOST ALL INSTANCES THE SUBMITTING OFFICER OF THE CASE INVESTIGATOR WILL BE THE ONES WHO WILL TAKE CUSTODY OF THE EVIDENCE AND TRANSPORT IT TO THE COURT.

1. THE REQUESTING OFFICER WILL PRODUCE A COPY OF THE EVIDENCE INVENTORY FORM AND THE EVIDENCE COORDINATOR WILL RETRIEVE THE ITEMS FROM THE STORAGE LOCATION.

2. RETRIEVE THE COPY OF THE EVIDENCE INVENTORY FORM FROM THE OFFICERS CASE FILE, AND COMPARE THIS COPY WITH THE ORIGINAL FROM THE EVIDENCE COORDINATORS EVIDENCE INVENTORY FILE AND THE REQUESTING OFFICER COMPLETES THE "CHAIN OF CUSTODY" SECTION AS IN CHAPTER IV SECTION A. AND RECEIVES THE ITEM(S) FROM THE COORDINATOR.

3. THE EVIDENCE COORDINATOR THEN RECALLS THE EVIDENCE ID NUMBER ON THE EVIDENCE LOG AND LABELS THE AS "EVIDENCE OUT"

4. WHEN THE EVIDENCE IS RETURNED TO THE EVIDENCE COORDINATOR THE EVIDENCE IS LOGGED BACK IN ON THE EVIDENCE LOG AS "EVIDENCE IN" USING THE SAME ID NUMBER.

C. RELEASE TO OWNER-- RELEASES OF THIS TYPE SHOULD BE PREFORMED BY THE SUBMITTING OFFICER. WHEN PREFORMED BY THE EVIDENCE COORDINATOR, WRITTEN AUTHORIZATION FROM THE SUBMITTING OFFICER OR THE TRIAL COURT OR OTHER AUTHORITY MUST BE IN THE COORDINATORS POSSESSION. RELEASE IN

CHAPTER VI DISPOSAL OF PROPERTY

A. TIMELY DISPOSITION OF PROPERTY IN A PROPER AND LEGAL MANNER IS A PRIMARY CONCERN AND DUTY OF THE EVIDENCE UNIT, THE MEANS OF PERFORMING THIS FUNCTION ARE VARIED.

1. RETURN TO OWNER-- SEE CHAPTER IV, SECTION C.

2. SALE AT AUCTION-- THIS IS A MEANS OF DISPOSING OF PROPERTY WHICH IS NOT IN ITSELF CONSIDERED CONTRABAND AND FOR WHICH OWNERSHIP CANNOT BE ESTABLISHED.

A. THE TOWN OF MOUNT CARMEL PERMITS THE SALE OF ITEMS IN THE CUSTODY OF THE MOUNT CARMEL POLICE DEPARTMENT WHICH HAVE BEEN HELD FOR A PERIOD OF NINETY DAYS. SAID SALE IS CONDUCTED BY THE MOUNT CARMEL POLICE DEPARTMENT AND IS CONDUCTED AS A PUBLIC OPEN BID AUCTION AND ALL PROCEEDS ARE PLACED INTO THE DRUG AND GENERAL FUND.

B. REMOVAL OF THESE ITEMS IS PREFORMED AS IN CHAPTER IV WITH A PROPERTY RELEASE BEING COMPLETED LISTING ALL THE ITEMS DESTINED FOR THE AUCTION FROM THE EVIDENCE UNIT, WHICH IS SIGNED BY THE EVIDENCE COORDINATOR AND CHIEF OF POLICE.

C. COPIES OF THE PROPERTY RELEASE FORM SHALL BE PLACED INTO THE APPROPRIATE OFFICERS INACTIVE CASE FILE.

D. PRIOR TO THE REMOVAL OF THESE ITEM(S) FROM THE EVIDENCE UNIT THE EVIDENCE COORDINATOR WILL OBTAIN FROM THE CRIMINAL COURT OF HAWKINS COUNTY, TN. AN "ORDER FOR DISPOSITION OF CONFISCATED EVIDENCE TO BE SOLD AT PUBLIC SALE". THIS ORDER SHALL BE SIGNED BY THE CRIMINAL COURT JUDGE UNDER THE CONDITIONS THEREOF.

3. CONVERSION TO DEPARTMENTAL USE-- THIS ACTION IS RESERVED PRIMARILY FOR FIREARMS WHICH ARE NOT BY THEIR NATURE OR MANUFACTURE CONTRABAND.

A. IF THE ITEM IS THE SUBJECT OF A CRIMINAL INVESTIGATION, A COURT OF LAW TRYING THE CASE IN WHICH THE ITEM IS SUBJECT MUST DECLARE THE ITEM TO BE CONTRABAND AND AWARD IT TO THE MOUNT CARMEL POLICE DEPARTMENT FOR USE OR DISPOSAL.

1. TCA 39-17-1317 ADDRESSES THE DISPOSITION OF WEAPONS AND PERMITS THE USE BY THE DEPARTMENT IN ITS ARMORY OR FOR TRADE TO A LICENSED DEALER. SEE THIS STATUTE FOR SPECIFICS.

B. UPON RECEIVING THE ITEM AND THE COURT ORDER THE EVIDENCE COORDINATOR SHALL DETERMINE IF THE ITEM HAS A LEGITIMATE USE WITHIN THE DEPARTMENT. THIS MAY REQUIRE CONSULTING WITH THE CHIEF OF POLICE AND OR ADMINISTRATIVE PERSONNEL.

C. IF THE WEAPON IS TO BE USED FOR TRADING PURPOSES, THE EVIDENCE COORDINATOR WILL REMOVE THE ITEM AS SET OUT IN CHAPTER IV NOTING IN THE "NARRATIVE" SECTION THE ITEM IS REMOVED FOR DEPARTMENT USE. IF TO BE DISPOSED OF, THE COORDINATOR WILL ADDITIONALLY ENTER INTO THE NARRATIVE HOW, WHEN, WHERE, AND BY WHOM THE ITEM WAS DESTROYED.

4. DESTRUCTION-- THIS ACTION WILL BE TAKEN WITH ANY ITEM WHICH BY ITS NATURE AND CONTENT IS ILLEGAL TO OWN OR POSSESS, FOR WHICH OWNERSHIP CANNOT BE ESTABLISHED AND THE SALE OF WHICH IS NOT PRACTICAL OR PRUDENT, OR FOR WHICH A COURT OF RECORD HAS ISSUED A DESTRUCTION ORDER.

THE SAME AS IN SECTION B WITH ADDITIONAL STEP OF COMPLETING A PROPERTY RECEIPT WHICH IS SIGNED BY THE OWNER/CLAIMANT AND IS FILED WITH THE OFFICERS INACTIVE CASE FILE.

RELEASE FOR DISPOSAL—SEE CHAPTER VI.

CHAPTER V RETURN OF PROPERTY TO EVIDENCE ROOM

A. OFFICERS RETURNING PROPERTY PREVIOUSLY REMOVED FROM THE EVIDENCE ROOM SHALL BE ALLOWED TO STORE THE ITEM(S) IN THE OFFICERS INDIVIDUAL/EVIDENCE LOCKERS IF IN CASE THE EVIDENCE COORDINATOR IS NOT AVAILABLE TO TAKE OVER AND RE-ENTER THE EVIDENCE BACK INTO THE EVIDENCE ROOM, BUT MUST MAKE ARRANGEMENTS AS SOON AS POSSIBLE WITH THE EVIDENCE COORDINATOR TO HAVE THE ITEM(S) PLACED BACK INTO THE EVIDENCE ROOM.

B. EVIDENCE COORDINATOR SHALL PERFORM THE FOLLOWING PROCEDURE FOR THE RETURNED PROPERTY.

1. FOR INTAKE PROCEDURE SEE CHAPTER III.

2. UPON DETERMINING THE PROPERTY HAS BEEN RETURNED FOR STORAGE, OBTAIN THE COPIES OF THE EVIDENCE INVENTORY FORM FROM OFFICER AND EVIDENCE INVENTORY FILE AND COMPLETE THE CHAIN OF CUSTODY SECTION. IN THIS INSTANCE THE "REASON" IS STORAGE AND THE "DESTINATION" IS THE ITEM(S) PREVIOUS STORAGE LOCATION.

3. REFILE THE COPY OF THE EVIDENCE INVENTORY IN THE COORDINATORS FILE AND RETURN THE COPY TO THE OFFICER FOR THE CASE FILE.

4. WHERE ITEMS HAVE BEEN SENT TO THE CRIME LAB FOR ANALYSIS AND THEN RETURNED FOR STORAGE, THESE ITEMS ARE NOT TO BE CONSIDERED A NEW ITEM INTO THE EVIDENCE ROOM, BUT ARE TO BE RETURNED INTO THE PREVIOUS LOCATION WITH THE PREVIOUSLY ASSIGNED ID NUMBER.

A. DESTRUCTION SHALL BE PERFORMED IN A TIMELY MANNER.

B. DESTRUCTION SHALL BE WITNESSED BY THE EVIDENCE COORDINATOR AND ONE OFFICER NOT ASSOCIATED WITH THE CASE.

C. MEMBERS OF THE PUBLIC AND OF THE VARIOUS MEDIA MAY OBSERVE THE DESTRUCTION PROCESS, HOWEVER THIS MUST BE APPROVED BY THE CHIEF OF POLICE IN ADVANCE AND MAY REQUIRE ADDITIONAL SECURITY AT THE DISPOSAL SITE.

D. REMOVAL OF THE ITEM(S) FOR DESTRUCTION SHALL FOLLOW PROCEDURES SET OUT IN CHAPTER IV AND IN THIS CHAPTER.

CHAPTER VII MISLAID PROPERTY

WHILE THE EVIDENCE UNIT SHOULD STRIVE TO PROPERLY PLACE ITEMS IN THEIR ASSIGNED LOCATIONS, IT IS RECOGNIZED THAT ITEMS MAY, ON OCCASION, BE MOVED FROM THOSE LOCATIONS AND NOT CORRECTLY RETURNED. THE FOLLOWING ARE GUIDELINES FOR LOCATING SUCH "MISPLACED" PROPERTY.

A. WHEN IT IS FIRST DETERMINED THAT AN ITEM OF EVIDENCE OR PROPERTY HAS BEEN MISPLACED, THE EVIDENCE COORDINATOR SHALL FIRST VERIFY THE LOCATION BEING SEARCHED MATCHES THE LOCATION LISTED ON THE EVIDENCE INVENTORY/CHAIN OF POSSESSION FORM. IF THE LOCATIONS MATCH AND THE ITEM IS NOT LOCATED, PROCEED TO B.

B. AT THIS POINT VERBAL NOTIFICATION SHALL BE MADE TO THE CHIEF OF POLICE THAT AN ITEM HAS BEEN MISPLACED AND AN IN-UNIT SEARCH IS BEING CONDUCTED. PROCEED TO C.

C. THE EVIDENCE COORDINATOR SHALL BEGIN A PHYSICAL SEARCH OF THE UNIT IN AN ATTEMPT TO LOCATE THE ITEM. THE SEARCH SHALL BEGIN AT THE LISTED LOCATION OF THE ITEM AND SHALL CONTINUE ON THE SHELF BY SHELF BASIS INSPECTING EACH PACKAGE UNTIL THE ITEM IS LOCATED OR THE ENTIRE UNIT HAS BEEN SEARCHED. IF THE ITEM IS NOT LOCATED, PROCEED TO D.

D. THE EVIDENCE COORDINATOR SHALL THOROUGHLY SEARCH BOTH THE EVIDENCE ROOM AND THE INDIVIDUAL OFFICERS PERSONAL/EVIDENCE LOCKER AND THE OFFICERS CASE FILE TO ESTABLISH A "TRAIL" FOR THE ITEM AND SHALL SEEK TO DETERMINE IF THE ITEM WAS:

- 1. REMOVED AND SENT TO A LABORATORY FOR ANALYSIS AND NOT RETURNED;**
- 2. TRANSFERRED TO ANOTHER PORTION OF THE UNIT;**
- 3. REMOVED AND USED IN COURT HEARING WHERE THE COURT RETAINED THE ITEM;**
- 4. RELEASED TO AN OFFICER AND NOT RETURNED;**
- 5. REMOVED AND RETURNED TO ITS PROPER OWNER.**

IF THE ITEM DOES NOT FALL INTO ONE OF THESE FIVE CATEGORIES, PROCEED TO E.

E. AT THIS POINT, A WRITTEN REPORT MUST BE SUBMITTED TO THE CHIEF OF POLICE SETTING FORTH IN DETAIL A COMPLETE DESCRIPTION OF THE MISPLACED ITEM AND DESCRIBING EACH STEP TAKEN IN ATTEMPTING TO LOCATE THE ITEM AND THE RESULTS OF EACH STEP. NO FURTHER ACTION WILL BE TAKEN BY THE EVIDENCE COORDINATOR IN THIS MATTER EXCEPT BY DIRECT ORDER OF THE CHIEF OF POLICE.

CHAPTER VIII UNIT FORMS

- 1. EVIDENCE INVENTORY/CHAIN OF CUSTODY**
- 2. EVIDENCE INVENTORY/CHAIN OF CUSTODY
EVIDENCE INVENTORY SUPPLEMENT**
- 3. NOTICE OF VIOLATION OF EVIDENCE PROCEDURES**
- 4. PROPERTY RELEASE FORM**
- 5. CLAIM FOR FOUND/ABANDONED PROPERTY**
- 6. DESTRUCTION OF EVIDENCE**
- 7. RETURN TO EVIDENCE/CONCLUSION OF TRIAL**



MOUNT CARMEL POLICE DEPARTMENT

EVIDENCE INVENTORY / CHAIN OF CUSTODY

Incident No. _____ Date Into Evidence Unit _____ Time In _____

Evidence ID Number _____ Date Property Acquired _____

Source from which Property Acquired _____

Submitting Officer _____ Evidence Clerk _____

	Description of Property	Location
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____

CHAIN OF CUSTODY:

Item No.	Date / Time	Received By	Position	Reason	Destination
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Method of Disposal _____ Date of Disposal: _____

Disposing Official: _____ Witness _____



Mt. Carmel Police Department

100 E. Main Street • P.O. Box 1421
Mt. Carmel, Tennessee 37645

(815) 357-4141 • (815) 357-7311

Page _____

Incident No. _____ Evidence ID Number _____

[illegible]

Method of Disposal _____ Date of Disposal _____

Disposal Official _____ Witness _____



Mt. Carmel Police Department

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Mt. Carmel, Tennessee 37645

(615) 357-4141 • (615) 357-7311

Notice of Violation of Evidence Procedures

Officer : _____

Suspect/Owner : _____

Incident # : _____ Incident Date : _____

Violation :

- ☐ Failure to complete Lab Request
- ☐ Failure to properly mark evidence/property
- ☐ Failure to submit Property Sheet w/Incident Number
- ☐ Failure to render firearm safe
- ☐ Failure to properly contain and/or mark biohazardous item(s)
- ☐ Failure to return Evidence by due date
- ☐ Other : _____

Date of Notice : _____

Property Officer : _____

You are directed to respond to the Evidence Unit to correct the above problem within 5 days of the Date of Notice.



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Claim for Found/Abandoned Property

I, _____ do hereby make claim for and accept
custody of property found by me and described as: _____

I understand that should a claim be made against this property and a Court
having jurisdiction in the matter make judgement for the claimant, I shall be
responsible for reimbursement/replacement of the above property to the
claimant.

Date

Signature

Date

Witness



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Defendant

Case Number

I hereby certify that the evidence described as _____

was destroyed by _____

on the _____ day of _____, 19____.

Evidence Custodian

Witness

