POLICY

EVIDENCE MANAGEMENT FOR WORK RELEASE

REVIEW/REVISION HISTORY:

Effective: 1/4/07
Revised: 3/11/08
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Revised: 1/1/14
Reviewed: 4/13/15

SUMMARY OF REVISION/REVIEW:

No changes made.

APPROVED:

Signature on file

BERNARD WARNER, Secretary
Department of Corrections

3/17/15
Date Signed
REFERENCES:

DOC 100.100 is hereby incorporated into this policy; RCW 69.50; ACA 2C-03

POLICY:

I. Evidence seized during searches will be secured and controlled to ensure safe, timely disposal of confiscated items, including illegal items and items released to local law enforcement for use as evidence in prosecuting crimes.

DIRECTIVE:

I. [2C-03] Evidence Management

A. The Community Corrections Supervisor (CCS) will assign an Evidence Officer to ensure all evidence seized during searches has been properly secured and DOC 05-131 Evidence/Property Record - Work Release has been completed.

B. All physical evidence obtained in connection with a violation will be handled in the following manner:

1. Employees/contract staff will seize evidence and record identification information on an evidence log to identify the:
   a. Date, time, and location the evidence was discovered,
   b. Person(s) who made the discovery, and
   c. Offender(s) who had possession of the item(s).

2. When the Evidence Officer is on duty at the time of discovery, employees/contract staff will present evidence to the Evidence Officer, who will:
   a. Inventory evidence and note receipt on DOC 05-131 Evidence/Property Record - Work Release,
   b. Place evidence in an envelope or container that can be sealed, preferably with a gummed surface,
   1) The Evidence Officer will initial the item, mark it with the date and evidence number, and attach a copy of DOC 05-131 Evidence/Property Record - Work Release.
   c. Place the evidence in a secure evidence locker, and
   d. Place a copy of DOC 05-131 Evidence/Property Record - Work Release in the Evidence Officer’s file, give the offender a copy if
any of his/her property was removed during a search, and give the original to the Community Corrections Officer (CCO) who supervises the offender.

1) A copy will be given to law enforcement if they were involved at the time of discovery or when a violation is reported to law enforcement.

3. In the absence of the Evidence Officer, employees/contract staff will place the evidence into a sealable container and follow the evidence logging documentation procedures. The evidence must be kept in a secured location until transferred to the Evidence Officer at the earliest opportunity.

4. Only the CCS/designee and the Evidence Officer will have keys to the evidence locker.

5. Employees/contract staff will request the evidence from the Evidence Officer when it is needed for a hearing.

   a. The Evidence Officer will complete the Property Transfer/Disposal section of DOC 05-131 Evidence/Property Record - Work Release, retrieve the evidence from storage, and turn it over to requesting employee/contract staff.

   b. Employees/contract staff will initial DOC 05-131 Evidence/Property Record - Work Release, acknowledging receipt.

   c. Employees/contract staff will return evidence to the Evidence Officer upon completion of the hearing.

C. Evidence records will be reviewed at 6 month intervals by the Evidence Officer, who will:

1. Identify evidence items that have been stored more than 6 months and dispose of evidence no longer needed,

2. Determine the need for continued storage by consulting with the CCO who supervises the offender to see if the evidence will be needed for future activity, and

3. Submit DOC 05-131 Evidence/Property Record - Work Release to the CCS with a recommendation if the item(s) is no longer needed for violation/criminal hearing.
D. The CCS will approve the disposal of items and will select an employee/contract staff to witness the disposal procedure.

E. The Evidence Officer will inventory items identified for disposal, record them on DOC 05-131 Evidence/Property Record - Work Release, and:

1. Present any hazardous item(s) for disposal and provide a copy of DOC 05-131 Evidence/Property Record - Work Release to Washington State Patrol when required.
   a. The following are acceptable contraband items for disposal by the Washington State Patrol:
      1) Controlled substances, as defined in RCW 69.50,
      2) Any weapon, firearm, or instrument which, if used, could cause serious bodily injury to another, and
      3) Ammunition, explosives, and/or instruments intended for sinister purposes (e.g., a type of unique weapon that Department officials would not want destroyed at the facility to prevent the design from being copied).
   b. The State Patrol will not accept knives, sheaths, or picks manufactured inside a facility from facility material, or abandoned offender personal property.

2. Destroy or dispose of evidence per local plan if law enforcement will not accept responsibility.
   a. After an infraction hearing, evidence not considered illegal contraband may be released to a person in the community as identified by the offender.

II. Dry and Damp/Wet Evidence

A. Evidence collected during an investigation that may have bodily fluids on it will be handled utilizing standard precautions.

1. Procedures for collecting dry and damp/wet (e.g., body fluid, etc.) evidence include:
   a. Removing clothing being worn while the individual is standing on a large sheet of clean paper.
b. Dropping evidence onto the paper, wrapping it, and placing it in a paper bag.
   
   1) Only one piece of clothing/evidence will be secured in each paper bag.

   c. Marking the bag as evidence and including:

   1) A description of the item,
   2) Who the clothing was collected from,
   3) Who collected the clothing,
   4) Witnesses, and
   5) Date and time collected.

2. Evidence retention procedures will be used for collecting dry evidence.

3. Each facility will develop procedures for drying damp/wet evidence. Evidence will be dried at room temperature and in a secure location immediately after being collected.

   a. Dry evidence will be completely wrapped in paper and packaged in a paper bag. Employees/contract staff must wear gloves during the packaging process.

   b. Plastic bags or containers will not be used to package damp/wet items. Plastic may only be used to transport damp/wet evidence from the collection area to the drying location.

   c. Areas used to dry evidence will be cleaned using a 10 to one water and bleach solution.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 05-131 Evidence/Property Record - Work Release