



Wisconsin Association of Identification

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GENERAL GUIDELINES FOR WILEAG

“We don’t tell you HOW to do it, we just tell you what NEEDS to be in place.”

Full Accreditation under the 5th Edition is 242 Standards

Core Standards Verification Program under 2nd Edition is 49 Standards

Step-by-Step Process

-Self Evaluation

-Mock

-Onsite (Accreditation)

-File Review (Core)

Specific WILEAG Standards related to Evidence/Property Integrity 11.1.1 to 11.2.6



Accreditation is a progressive and time-proven way of helping institutions evaluate and improve their overall performance.

The key to any successful accreditation system lies in the consensus of published standards containing a clear statement of professional objectives.

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Chapter 11 – Evidence/Property Integrity

Section #1 – Collection and Preservation of Evidence/Property

11.1.1 24-Hour Availability

The agency has 24-hour access to qualified personnel for processing crime scenes or other prescribed incidents such as, but not limited to, serious traffic collisions.

Last Reviewed:	May 02, 2016	Last Updated:	December 10, 2012
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11.1.2 Evidence Collection

A written directive establishes guidelines and procedures for the collection, processing, and preservation of physical evidence.

Context

To sustain a successful prosecution, agency personnel must utilize acceptable methods for field and lab processing of potential evidence, including maintenance of the chain of custody and integrity of evidence from scene to trial. Processes must be supported with proper equipment, trained personnel and facilities. Security and record keeping are essential parts of the process.

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11.1.3 Photographic Evidence

A written directive establishes procedures for photography and video recording as part of the evidence collection process. The directive should specify the type of information to be captured by photography or video recording, as well as guidelines for storing the images.

Context

Photographs and/or video recordings are critically important as evidence. When possible, they should be taken by a trained photographer.

Last Reviewed:	May 02, 2016	Last Updated:	May 02, 2016
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11.1.4	Fingerprint Processing
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A written directive governs the processing, developing, lifting, labeling and storage of all fingerprints collected as evidence.

Last Reviewed:	May 02, 2016	Last Updated:	December 10, 2012
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11.1.5	DNA (Deoxyribonucleic acid) Evidence
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A written directive establishes procedures for collection of DNA evidence, including:

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|----------|---|
| 11.1.5.1 | First responder precautions and responsibilities. |
| 11.1.5.2 | Collecting, transporting, and storage of DNA evidence. |
| 11.1.5.3 | Submission of DNA evidence to the Wisconsin State Crime Lab or other DNA processing agencies. |
| 11.1.5.4 | Training for personnel collecting and preserving DNA evidence. |

Last Reviewed:	May 02, 2016	Last Updated:	May 02, 2016
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11.1.6	Computer/Electronic Evidence
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A written directive establishes procedures for the evidentiary collection of computers or other devices storing data in an electronic format, including:

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|----------|---|
| 11.1.6.1 | First responder precautions and responsibilities. |
| 11.1.6.2 | Collecting, transporting, and storage of computer/other electronic evidence. |
| 11.1.6.3 | Submission of computer/other electronic evidence to the Wisconsin State Crime Lab or other processing agencies. |
| 11.1.6.4 | Training for personnel collecting and preserving computer/electronic evidence. |

Last Reviewed:	May 02, 2016	Last Updated:	May 02, 2016
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11.1.7 Documentation of Transfer of Custody of Evidence

A written directive requires that any transfer of custody of physical evidence be documented.

Context

Documentation should include the date and time of transfer, the name of the person transferring the property, the name/title/agency of the person receiving the property, the laboratory name and location (if applicable), the reason for the transfer, whether any processing is required, and a brief synopsis of the case.

Last Reviewed: May 02, 2016

Last Updated: May 02, 2016

11.1.8 Transmittal of Evidence to a Lab

A written directive governs the submission of evidence to forensic laboratories, and includes the following:

- 11.1.8.1 Name and contact information of the person submitting the evidence.
- 11.1.8.2 Packaging and conveyance of evidence to the laboratory.
- 11.1.8.3 Documentation needed to accompany evidence at time of transmittal.
- 11.1.8.4 Adequate receipts to support chain of custody.
- 11.1.8.5 Instructions directing that lab results be submitted in writing.

Context

The intent of this standard is to specify procedures for assuring the integrity and proper processing of evidence by outside resources and the transmittal thereto. There should be appropriate differentiation for perishable and non-perishable evidence.

The policies and procedures should also fix responsibility for decision-making relative to use of outside resources due to time and expense involved.

Written reports from all labs must document the results and findings on all work done. Verbal reports from the lab may be accepted as an interim or progress report. This applies to agency labs and outside resource.

Last Reviewed: May 02, 2016

Last Updated: May 02, 2016

Section #2 – Maintenance of Evidence/Property

11.2.1 Receipt of Evidence/Property

A written directive requires that all property and evidence obtained by agency personnel be:

11.2.1.1	Inventoried and logged into agency records as soon as possible.
11.2.1.2	Transferred to the property and evidence control function before personnel end their tour of duty.
11.2.1.3	Properly referenced to case numbers and described in a written report that also explains how the property came into the agency's possession.
11.2.1.4	Properly packaged and labeled prior to being put in storage.
11.2.1.5	Properly secured, with additional precautions taken for high value, sensitive or high-risk property, such as currency, jewelry, narcotics, firearms, or biohazards.
11.2.1.6	Researched for ownership, with an attempt made to notify the owner.
11.2.1.7	Temporarily or permanently released from storage according to agency protocol.

Context

The agency has a general duty to protect all property coming into its possession including a special duty to maintain a chain of custody when called for. Policies and procedures should be designed and function to protect the rights of owners of legal property as well as agency personnel and the agency itself.

A supervisor must approve any exceptions to the agency's policies and procedures, with interim steps taken to protect the property as dictated by the situation.

Personnel are not allowed to keep property in their office, desk, locker, vehicle, home, or other places not designated for property storage. Policy should prohibit personal use of any property.

An exception shall exist for large-scale drug drop-off programs, which should be conducted in accordance with state and federal guidelines for such initiatives.

Last Reviewed: May 02, 2016

Last Updated: May 02, 2016

11.2.2 Evidence and Property Security

The agency requires that all in-custody property and evidence be stored in designated, secure areas.

Context

Dedicated facilities, equipment, restrictions on access and other security procedures should contribute to the control and protection of property in agency custody. Storage capacity and security measures should be commensurate with risks and exposures posed by different types of property.

Last Reviewed: May 02, 2016

Last Updated: October 1, 2008

11.2.3 After Hours Temporary Storage of Property

A written directive establishes procedures and provisions for storage of property or evidence when the property room is closed.

Last Reviewed: May 02, 2016

Last Updated: May 02, 2016

11.2.4 Authorized Access to Property Storage

A written directive limits access to designated evidence storage areas to authorized personnel.

Context

Access to property storage areas is restricted to ensure the integrity of all property and to maintain the chain of custody of evidence.

Last Reviewed: May 02, 2016

Last Updated: May 02, 2016

11.2.5 Records Status

The agency requires that records reflect the status and location of all property under agency control.

Last Reviewed: May 02, 2016

Last Updated: December 10, 2012

11.2.6 System Integrity

The agency requires that periodic and event-specific inspections, audits, and inventories be completed and results documented and forwarded to the agency CEO. Such inspections, audits, and inventories shall include, but are not limited to:

11.2.6.1 Semi-annual inspections, by the person in charge of the property and evidence control function (or his/her designee), intended to assess compliance with policies and procedures governing property and evidence management and control. These inspections must be conducted independent of any other required inspections or audits. The “person in charge of the property and evidence control function” implies an individual in the organization who oversees the person(s) performing the property and evidence control function.

11.2.6.2 An annual audit of property and evidence conducted by a supervisor not directly associated with the property control function. This audit must be conducted independent of other required audits or inspections. It should focus on high risk items; e.g., money, drugs, jewelry, firearms, but may be expanded to include other items. To ensure the integrity of the system and accountability for all property and evidence, the audit should incorporate a one-tailed test of statistical significance to test accuracy within a 95% degree of confidence and a +/- error rate of 4%. The appropriate sample size for such a test can be found in the table located in the context.

11.2.6.3 Random, unannounced inspections and/or audits are conducted at the discretion of the agency’s chief executive officer. At least one random inspection and/or audit will occur annually. In the event of a random audit, the size of the sample to be audited will be determined by the chief executive officer.

11.2.6.4 A comprehensive audit of property and evidence whenever the primary person responsible for property and evidence control is replaced for any reason. The audit should be conducted jointly by the new property custodian and a person designated by the CEO. To ensure the integrity of the system and accountability for all property and evidence, the audit should incorporate a two-tailed test of statistical significance to test accuracy within a 95% degree of confidence and a +/- error rate of 4%. The appropriate sample size for such a test can be found in the table located in the context. An error rate that exceeds 5% of the sample size will require a full inventory of all high risk property and evidence.

This standard is designed and intended to ensure the integrity of the system, not to require an accounting for every item of property. Thus, random sampling of property may be used to assess compliance with policies and procedures.

For the purposes of this standard, inspection means, to examine the property/evidence function for the purpose of determining whether policies and procedures are being followed. An inspection can include tracing a few items of property/evidence to verify they are stored in the proper location. An audit refers the selection of a random sample of items of property/evidence to determine whether they can be properly accounted for. This process enables the auditor to draw conclusions about the integrity of the entire inventory of property/evidence. An inventory means a complete listing or record of every item of property/evidence the agency has in its custody or every item within a particular category, such as high risk items.

The following table depicts the appropriate sample sizes required to conduct a one-tail or two tail test of statistical significance as outlined in 11.2.6.2 and 11.2.6.4, above.

Total Number of High Risk Items (Money, drugs, jewelry, firearms)	Sample Size – 1 Tail Test	Sample Size – 2 Tail Test	
25	20	25	
50	34	47	
100	50	86	
150	59	121	
200	65	151	
250	70	177	
300	73	201	
350	76	222	
400	78	241	
450	79	258	
500	81	274	
1000	88	376	
2500	92	485	
5000	94	537	
10000	95	567	

The logo is a shield-shaped emblem with a yellow border. At the top, the word "WILEAG" is written in large, bold, yellow, sans-serif capital letters. Below this, a red silhouette of the state of Wisconsin is centered, surrounded by a yellow laurel wreath. At the bottom of the shield, the word "ACCREDITED" is written in large, bold, yellow, sans-serif capital letters, and below it, the words "LAW ENFORCEMENT AGENCY" are written in smaller, bold, yellow, sans-serif capital letters.

**Samples of how NOT to
operate a Property/Evidence
Facility**

11.2.4 Authorized Access to Property Storage

A written directive limits access to designated evidence storage areas to authorized personnel.

Context

Access to property storage areas is restricted to ensure the integrity of all property and to maintain chain of custody of evidence.



11.2.6 System Integrity


The agency requires that periodic and event-specific inspections, inventories and audits be completed and results documented. Such inspections shall include, but not be limited to:

- 11.2.6.1 Semi-annual inspections by the person in charge of the property and evidence control function (or his/her designee) assessing compliance with procedures.
- 11.2.6.2 An audit of property whenever the person responsible for property and evidence control is replaced for any reason. The audit should be conducted jointly by the new property custodian and a representative of the CEO.
- 11.2.6.3 A supervisor who is not a part of the property control function performs an annual audit.**
- 11.2.6.4 Random, unannounced inspections and/or audits are conducted at the discretion of the agency's chief executive officer.

Context

This standard is designed and intended to ensure the integrity of the system, not to require an accounting for every item of property. Thus, random sampling of property may be used to assess compliance with policies and procedures. For the purposes of this standard, "inspection" means, to look at, either physically or in print; "inventory" means, a complete listing; and "audit" means, a random sample, such as 10 articles of property



The logo is a shield-shaped emblem with a yellow border. It features a central red silhouette of the state of Arizona, surrounded by a yellow laurel wreath. The shield is divided into three horizontal bands: a top blue band, a middle white band, and a bottom blue band. The text 'WILEAG' is in yellow in the top band, 'LT. KONRAD' and 'REPORT' are in black in the middle band, and 'ACCREDITED' and 'LAW ENFORCEMENT AGENCY' are in yellow in the bottom band.

WILEAG

**LT. KONRAD
REPORT**

ACCREDITED

LAW ENFORCEMENT
AGENCY

The logo is a shield-shaped emblem with a yellow border. It features a light blue background with a white horizontal band across the middle. At the top, the word "WILEAG" is written in large, bold, yellow capital letters. In the center, there is a red silhouette of the state of Oregon, flanked by two yellow laurel branches. Below the Oregon map, the word "ACCREDITED" is written in yellow capital letters. At the bottom, the words "LAW ENFORCEMENT AGENCY" are written in yellow capital letters.

WILEAG

OREGON PD

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QUESTIONS

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Accreditation is often about applying the best practices in today's law enforcement. One of these practices is related to maintaining the integrity of the evidence and property storage functions. A law enforcement agency must have an accurate system for maintaining items in its possession to maintain this integrity. The community represented by the agency expects both integrity and accuracy when it comes to this function.

Accountability for this expectation can be achieved through compliance with WILEAG Standard 11.2.6. This standard is designed and intended to ensure the integrity of the evidence and property storage system. It is not an annual accounting of every item of property.

When agencies struggle with proving this Standard it is often because they confuse the three significant terms used in the dimensions. To help prevent this it is important that each term be defined in the agency's written directive. These definitions will guide the people responsible for carrying out each part so they are clear on what is expected of them.

An inspection is the simplest of the three processes related to this Standard. It is not intended to take much time but it helps ensure the operational readiness and performance of the property and evidence storage functions.

The semi-annual inspection involves looking at the property room to ensure it is clean and functional for its purpose. It should be conducted by the person who supervises the property function, but not the custodian of the property. This is done for the same reason that a supervisor conducts a squad or uniform inspection of an officer rather than having the officer do their own inspection. The semi-annual inspection should also verify that agency directives related to property preservation are being followed. The condition of the property should be checked for damage or deterioration and the overall integrity of the property should be determined. Finally, the inspection process should determine whether items are being disposed of promptly once they are no longer needed as evidence.

The unannounced inspection is an annual tool to ensure the integrity of the system. This can be conducted by the CEO of the agency or delegated to a designee to perform (11.2.6.4). It can be as simple as inspecting the storage area for cleanliness, making sure items are organized, and tracing a few items in custody to verify they are in the proper place according to the property records.

An audit is another process related to Standard 11.2.6. It can be defined as a sample of items out of a larger group. The sample size should be large enough that the CEO is confident all items are accounted for and they are readily retrievable, but it is not intended to involve every piece of evidence or property. The sample should be of a significant size to ascertain the property system is accurate. While WILEAG doesn't define the size of an audit sample, it does provide guidance and suggests in the comments for 11.2.6 that a minimum of ten items can be sampled for this purpose. This has been sufficient to show WILEAG that an agency is in compliance with the related dimensions.

Some agencies also choose to go further than the WILEAG commentary and use statistical principles when determining the size of the sample. This method provides greater certainty of the property function's accuracy. It uses a sample size dependent on the total amount of property held by the agency rather than a set sample size. This is not required by WILEAG but it may help manage the risks inherent to the property function.

Table 1 below lists the appropriate sample size for a two tail test and a one tail test. The two tail method provides for greater statistical certainty that the property control process is accurate. The one tail is also accepted by many as providing a statistically proven method of determining accuracy without conducting a complete inventory. The sample sizes in this chart are not required by WILEAG.

Total Number of High Risk Items {Money, drugs, jewelry, firearms }	Sample Size – 2 Tail Test	Sample Size – 1 Tail Test
100	86	50
200	151	65
300	201	73
400	241	78
500	274	81
1000	376	88
5000	537	94

Table 1 – Computation of Sample Size to Test the Accuracy with a 95% Degree of Confidence (+/- 4%)

The requirement of an annual audit is designed to ensure the integrity of the property function (11.2.6.3). In most instances the process won't require a law enforcement agency to account for every item during the audit. If the audit does result in an error rate of more than 5% it is in the agencies best interest to conduct a complete inventory involving all cash, drugs, jewelry, and firearms currently listed in evidence storage.

This annual audit should be conducted by a supervisor who is not part of the property control function whenever possible. A smaller agency that doesn't have a supervisor outside of the property control chain of command may have to use the one they have to complete this annual audit. A suggestion to ensure transparency in these cases might be to have a second person accompany this supervisor during the audit to eliminate any perception by others that bias contributed to the results.

There is also a requirement of an audit when there is a change in property and evidence control personnel (11.2.6.2). This audit should be conducted by the newly appointed person who will be working with the property and evidence as well as a representative of the Chief Executive Officer of the agency. This audit is important since the new employee will be accountable for everything in the property function from that day forward.

The final term to define is an inventory. This is a complete listing or record of every item the agency has in its custody as part of property and evidence. This is by far the most detailed

process related to ensuring the accuracy of records and the disposition of items. This can be a lengthy process depending on the total number of pieces in the inventory.

A law enforcement agency will find they are well prepared if they follow the dimensions in this Standard. It should also provide the agency's CEO with a greater level of comfort knowing they are following the best practices in law enforcement.

Property Room Environment:

In 2015 the Oregon Police Department went under new management and discovered that the property room environment had significant issues related to the storage of property. In the summary section I have described the condition of the property room at that time. The property room environment was the product of the following issues.

- No supervision over the operation of the property room.
- No procedures or department policies in place.
- No audits/inventories.
- Unsuccessful data conversion in RMS.
- Unethical behavior from employees assigned to the property room.

Summary:

The Oregon Police Department has two separate areas that are secure and store property. One is referred to as the indoor property room and is used primarily for current intake. The secondary property room is referred to as the overflow property and typically stores the older and larger property. Both the indoor and overflow property rooms have controlled access by means of a pog system.

Prior to 2015, the only individuals who had access to the secured property areas were the property supervisor and the Chief of Police. The Chief of Police had no involvement in the processing of property. It appears for the majority of the time the Chief accessed these secure property rooms to store property unrelated to cases. The indoor property room was significantly disorganized. Miscellaneous medications and used syringes were stored on the floor in buckets. Most of the syringes were in banker boxes along with miscellaneous property and empty property bags. The buckets that stored miscellaneous medication were closed and stacked approximately eight buckets high. There was a second stack of buckets that were full and had tipped over, and hundreds of miscellaneous pills were spread throughout the floor of the property room. This is an area where the Property Supervisor stored medication from the med drop box.

The secured property room that is referred to as the overflow property room is located in the garage area of the police department. Prior to 2015, this room contained evidence, safekeeping, department property, and other miscellaneous items unrelated to cases. Examples of the department/miscellaneous property that was being stored in the overflow property room were uniform equipment turned in by officers leaving the agency, unused squad seats, squad vehicle cages; personal property belonging to the Police Chief, equipment used in special events hosted by the police department, and building supplies for the police department. There was no separation of these items from the property associated with cases. The door to the secured overflow property area could only be opened approximately 4 inches due to the tall piles of property stacked throughout the floor. There was a small path leading from the entry door of the overflow room to the back of the room. As someone would walk this path, they would need to walk on items which had been placed on the floor. The scene

was similar to that of a severe hoarding room. Items were stored on shelves in the room and in piles on the floor. You could not see the floor anywhere in the overflow room.

There was no separation and double locking system for firearms, drugs, and cash being stored. There was no camera system or sign in/sign out form showing when the secured property rooms were being accessed. There was a pog system in place which allowed the Chief and Property Supervisor access to the rooms and tracked the employee movement into these two rooms, however it only has an approximate three month long retention period.

As a search was completed of the indoor property room, miscellaneous department equipment such as batons, used holsters, PBT's, and uniforms were found on the shelving units. In looking through the banker boxes, there appeared to be no organization, and the writing on the side of the banker boxes indicated that items in that box would be under a set of particular case numbers. The writing was incorrect on a majority of those banker boxes. In looking through the banker boxes containing property from cases, multiple pieces of property were found to be tampered with.

Upon further examination of the secured property rooms, property was located, however it was not documented in our records management system. It is believed that there were two contributing factors to this. The first was that there was a failure in the conversion of data from one records management systems to a newer system which occurred twice over the years. The second factor was that the Property Supervisor and Chief simply placed property into the secured property areas without entering these items into the records management system.

Another area of concern that we encountered dealt with items which had been released to owners. The property supervisor failed to remove the item from the records management system and/or complete a supplemental report for the release of the property, and the property supervisor did not require the owner to sign for the property. Due to this, property would appear in the records management system, however it was no longer physically held by the police department.

Upon searching the secured property room areas, we were able to determine that we currently stored property from 1982 through the current year. There were approximately five banker boxes that stored items from cases that were labeled "ready to dispose." It was unknown if these boxes still contained the items which were ready for disposal. Sticky notes were found on several of the property sheets indicating the following information "Disposed of 1 - 19 - 2009". There were no other documentation on the property sheet, therefore it was unknown if the sticky note was attached to the correct item or if it had fallen off of another property sheet.

We found multiple items that were not properly packaged as property. An example of this would be a capped syringe simply packaged in a plastic bag. During our inventory search of the property room, the cap of the syringe had fallen off exposing the needle through the property bag. We repackaged the unsafe pieces of property and documented our findings.

One of the more significant issues which we discovered consisted of a large amount of property that had no documentation on it to indicate if it was evidence, found property, safekeeping, or department property.

In the course of addressing these issues with the secured property rooms, there has been no documentation or proof to show that an audit had ever occurred. In 2009 the property room supervisor discontinued employment with our Police Department, and a new Property Supervisor was appointed. There is no documentation or proof to show that any sort of audit occurred when the transition of a new Property Supervisor was appointed.

Changes made:

- Department policy was created to dictate how property should be handled, and multiple people now work in the secured property room areas.
- Surveillance cameras were installed in the interior of the indoor property room and just outside of the overflow property room to monitor individuals entering and exiting this area.
- Department policy dictates how often an audit will be done of the property.
- Anyone entering a secured property room must document when they come in, when they exit, why they were in there, and their signature.
- Department policy dictates that the Property Supervisor and Property Clerk will have access to the secured property room areas.
- Firearms, drugs, and medication related to the medication drop box will be stored in double locked areas in three separate locations which are recorded via the surveillance cameras in the indoor secured property.
- Systems have been put in place to purge property that is being held by our police department that is no longer needed.
- As of 2018, we will be moving to a new records management system, and we will confirm to the best of our ability that the property held by our agency is accurate in our new records management system.
- Forms have been created and implemented documenting when property was released. This assures that there is proof that the property was released through documentation.
- Property currently stored in our secured areas is organized by case number and filed appropriately.
- There is now a municipal ordinance that dictates how the police department will dispose of property. This is also covered in the department policy.
- The department has received additional training on packaging of property. Procedures have been put in place to allow the property supervisor and property clerk to immediately address packaging concerns with the officer who is responsible for entering a particular piece of property.
- Department policy now dictates whenever a piece of property is removed from the property room that the person removing that piece of property must update the chain of custody to show the change.