



The Commonwealth of Massachusetts
Department of State Police

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Office of the Chief Legal Counsel
470 Worcester Road
Framingham, Massachusetts 01702

October 11, 2016

Mr. Andrew Quemere
MuckRock
DEPT MR 21962
PO Box 55819
Boston, MA 02205-5819

Re: Records Request

Dear Mr. Quemere:

The Massachusetts Department of State Police ("Department") has received and reviewed your request seeking Department records. The Department considers your request as a submission pursuant to G.L. c. 66, §10, the Massachusetts Public Records Law.

Enclosed you will find records responsive to your request for Department Policies and Procedures. As to your request for "all audits that have been conducted between January 1, 2012...", the Department is interpreting your request to mean inspections conducted by the Department's Staff Inspections Section since January 1, 2012. Based on information this office has received, the Staff Inspections Section has conducted approximately 143 inspections since January 1, 2012.

The Staff Inspections Unit conducts routine staff inspections of various Department sections which may include: narcotics, contraband and physical evidence; seized monies/asset forfeiture; PayStation including overtime and details; found/held property; holding facilities; racial profiling compliance; line inspections; administrative journals and records; issued Department equipment; and other areas as directed by the Division Commander of Standards and Training. Per Department policy, following an inspection, the Staff Inspector prepares a detailed report which includes their findings, observations, opinions, recommendations and conclusions. Based upon a review of a sample of responsive material, the relevant portion of the

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Staff inspector's report that pertains to evidence, generally, averages four (4) pages in length.

Although the actual costs may be higher or lower, the Department of State Police estimates the cost of complying with this portion of your request to be approximately \$615.00.

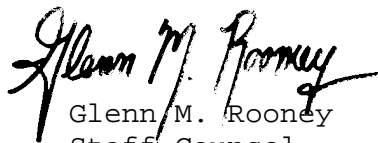
The Department's good faith estimate of the fee for providing you with the requested information is based upon the following: (1) An employee of the Department paid \$25.00 an hour (this is the hourly rate of the lowest paid employee capable of performing the task) will need approximately 28.6 hours (3 minutes per page at approximately at 572 pages of responsive material [avg. of 4 pages multiplied by 143 inspections]) to search for and segregate responsive material since, any response by the Department will be subject to the exemptions to the Public Records Law set forth in G.L. c. 4, sec. 7, cl. 26 (a)-(q) (as evidence that is the subject of a Staff Inspection may, for example, relate to an ongoing investigation and/or prosecution). If you elect to proceed with this search the Department will waive the costs associated with the first four (4) hours of agency work required for this search. (28.6 hours minus 4.0 hours multiplied by \$25.00=\$615.00).

If you wish for the Department to conduct the search outlined above, please send the required payment (**check made payable to the Commonwealth**) to my office.

If you object to the Department's response to your request or any portion of the same, you may appeal the Department's response in accordance with Massachusetts General Laws, Chapter 66, §10(b) and 950 CMR 32.00. Moreover, if you wish to limit or otherwise alter your request (for example, by limiting the timeframe) to reduce the estimated cost of the search, the Department will provide you with an updated estimate.

Your attention to this matter is greatly appreciated.

Sincerely,



Glenn M. Rooney
Staff Counsel
Massachusetts State Police
(508) 820-2391



Department of State Police

General Order

Effective Date	April 23, 2009	Number	ADM-09A
Subject	Staff Inspections		

Policy

The Department shall continuously audit and inspect all resources, facilities, equipment, personnel, practices and policies, in order to update the Command Staff on the quality of Department services.

Staff Inspections Protocols

To accomplish the mission of Staff Inspections, Inspectors shall have complete and unrestricted access to all Department records and properties.

Staff Inspections shall:

- Be performed on all resources, entities, and facilities within the Department;
- Be an open inspection conducted with the full knowledge and co-operation of everyone involved;
- Notify the appropriate Commanders of the intended date and scope of inspections, at least seven (7) days in advance of the inspection; and
- Include a list of those materials, files, and subjects to be reviewed or examined by the inspector.

Troop/Section Commanders shall work cooperatively with the Inspector, and shall prepare and provide all materials requested.

Upon request of the appropriate Division Commander, Staff Inspections may conduct unannounced inspections of any Department entity.

Routine Staff Inspections

Routine Staff Inspections may include:

- Narcotics, contraband and physical evidence;
- Seized monies/asset forfeiture;
- PayStation including overtime and details;
- Found/held property;
- Holding facilities;
- Racial Profiling compliance;
- Line inspections;
- Administrative journals and records;
- Issued Department equipment; and
- Other areas as directed by the Division Commander of Standards and Training.

Subject Staff Inspections	Number ADM-09A
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**Inspection
Finding and
Reports**

Staff Inspectors shall prepare and submit a detailed report through channels to the Colonel/Superintendent within sixty (60) days of each inspection.

This report shall include at a minimum:

- Findings and observations; and
- Opinions, recommendations and conclusions.

Copies of this report shall also be forwarded to the appropriate Division Commander.

Upon receipt of a Staff Inspection report, Troop/Section Commanders shall submit a report outlining the specific actions taken to ensure correction of all deficiencies noted. This report shall be submitted within thirty (30) days to the appropriate Division Commander, with a copy to be forwarded to the Division Commander of Standards and Training.

Promulgated By:



Department of State Police

General Order

Effective Date	April 23, 2009	Number	INV-10
Subject	Evidence Collection and Preservation		

Policy	The Department shall ensure that evidence is properly recognized, documented, collected, packaged, and stored; and that a chain-of-custody is established for evidence recovered at every crime scene.
Definitions	<p><i>Chain-of-Custody:</i> The record documenting the location and person in control of evidence from the time of its collection to final disposition.</p> <p><i>Evidence Room:</i> Facilities used by the Department to store evidence.</p>
Forensic Services	<p>The Forensic Services Groups within the Division of Investigative Services are a valuable resource at crime scenes. On-call employees within this group are highly trained and equipped to collect many types of evidence.</p> <p>Crime Lab Response Team (Chemists): This team assists with the recognition, collection and preservation of biological (DNA) evidence including blood, semen and saliva; and can also assist with the recognition, collection, and preservation of gunshot residue and trace evidence such as hairs and fibers.</p> <p>Crime Scene Services Section (CSSS): This section assists with the recognition, collection, processing, preservation and documentation of many types of physical evidence. Services also include:</p> <ul style="list-style-type: none">• The documentation of crime scenes through photographs, videos, diagrams and sketches;• The collection and processing for footwear and tire track impression evidence, latent print evidence, and bloodstain pattern analysis; and• The collection and preservation of many other types of physical evidence. <p>Digital Evidence and Multimedia Section (DEMS): This section assists with the recognition, collection, preservation, and examination of computers and other digital evidence devices, (e.g., cell phones, cameras, and digital storage media). This section can provide field assistance with drafting of search warrants for digital evidence crime scenes and digital evidence seizures.</p> <p>Firearms Identification Section (FIS): This section assists with the collection, preservation and documentation of firearms, firearms related evidence, and tool mark evidence.</p>

**Arriving at a
Crime Scene**

Evidence of a criminal nature may potentially be encountered at any incident or call. When arriving at a scene, members should consider the nature of the incident or crime, the jurisdiction, and their investigative authority in the context of recovering evidence of a crime.

Members arriving at a scene shall:

- Attempt to identify and control any dangerous situations or persons bearing in mind the safety of the public and the officer;
- Ensure that medical attention is provided to injured parties;
- Take care when removing the injured or rendering the scene safe and secure; and
- Be mindful that any action taken may affect or alter a potential crime scene and should be documented.

**Crime Scene
Evaluation**

When a scene requires specialized investigative and forensic units, responding members shall:

- Secure the scene and treat the area as a potential crime scene;
- Evaluate the nature of the event or crime and the resources required to effectively respond to the situation; and
- Preserve the scene with minimal contamination and disturbance of potential evidence.

Members shall:

- Notify the Desk Officer or appropriate supervisor of all actual or potential crime scenes;
- Request assistance from other patrols, supervisor(s), investigative, or forensic units as necessary; and
- Document and relay to appropriate supervisory, investigative, or specialized personnel relevant activities and observations made.

Desk Officers shall:

- Notify the Troop Duty Officer of complex crime scenes that require specialized assistance.

Troop Duty Officers shall:

- Request the assistance of specialized units when the scene requires skills or equipment beyond those of the initial responding member(s).

**Crime Scene
Command and
Control**

Responding members shall:

- Remain in charge of the scene until command is transferred to a supervisor or to the responding specialized unit(s);
- Continue to provide assistance until released; and
- Document activities while at the scene.

**Crime Scene
Perimeter and
Control**

Members responding to a crime scene shall:

- Establish a crime scene perimeter;
- Establish boundaries beyond the initial scope of the crime scene perimeter with the understanding that boundaries can be reduced, but cannot be easily expanded;
- Control access to the scene to authorized personnel only; and
- Document the names of all persons who accessed the scene.

**Recovery of
Evidence**

Crime scenes shall be documented prior to processing and searching. Documentation may include:

- Written description;
- Photographs and videos; and
- Sketches and diagrams.

Members may collect any evidence that does not require assistance from specialized units. Members shall take steps to minimize the handling of evidence. Members shall:

- Wear gloves during evidence collection;
- Understand that when gloved, the handling of evidence may destroy or damage latent fingerprint and DNA evidence; and
- Package evidence in a manner to preserve and prevent spoilage or contamination.

All evidence shall be uniquely identified. The identifiers shall be recorded on the outside of each packaged item and include:

- The case identifier/number;
- Seizing member's name and identification (ID) number; and
- The date, location of seizure, and description of the item(s).

When multiple items are recovered from a single location, members shall sequentially number items for identification purposes.

When personnel from specialized units collect evidence, they shall adhere to their respective policies and directives.

Members shall take appropriate precautions when collecting or storing biological matter or chemical substances, that may pose serious health risks if handled improperly or unprotected.

The Department's Forensic Services Group provides evidentiary guidelines on the proper methods to collect and package different types of evidence. Members may contact the Forensic Services Group for guidance on proper evidence packaging.

Subject	Number
Evidence Collection and Preservation	INV-10

Evidence

Station/Section/Unit Commanders shall be responsible for receiving, storing, maintaining, releasing, and accounting of all evidence. Commanders shall ensure that:

- Evidence is placed into the evidence room or other authorized secure location in accordance with Department policy; or
- If analysis is required, evidence is promptly submitted to the appropriate facility.

Any member who recovers or receives evidence to be placed in the evidence room shall have evidence documented at the appropriate station using appropriate Department forms. The inventory shall be witnessed and shall include the following information for all items of evidence:

- Description of the item (including make, model number, and serial number, if any);
- Source (from whom or location obtained); and
- Name of person primarily responsible for collecting the item or items.

References

INV-11 Controlled Substances – Storage and Handling
INV-11A Contraband – Storage and Handling
INV-14 Seized Currency

Promulgated By:



Department of State Police General Order

Effective Date	May 10, 2012	Number	INV-11
Subject	Controlled Substance -Storage & Handling		

Policy

The Department shall establish rigid controls for all controlled substances held within its custody to preserve the integrity of the Department and its personnel.

Through the assignment of responsibilities, processing procedures, storage requirements and continuous inspections, all levels of command shall ensure strict compliance with established controls and this policy.

Definition

Controlled Substances: All narcotics, drugs, and substances listed in Massachusetts General Laws (MGL) Chapter 94C.

Narcotics Inspection Unit (NIU): The unit shall exercise administrative control and supervision of procedures concerning the marking, recording, storage, handling, disposal, and destruction of all controlled substances obtained or seized by members of the Department.

NIU Bunker: Narcotics Locker located at the State Police General Headquarters used to store controlled substances that have been transported from a Station/Section/Unit or Central Evidence Locker and are awaiting trial, destruction, or disposal.

Narcotics Central Evidence Locker (CEL): A secure location located within the State Police Troop of Jurisdiction. Each CEL is staffed by NIU personnel. Each CEL shall have direct control and responsibility for the handling, storage, and security of controlled substances seized by members located within their Troop Jurisdiction.

Department Evidence Officer: A member appointed by the Colonel/Superintendent to act as custodian of all controlled substances seized in the course of any arrest or investigation by the Department.

Subject Controlled Substance	Number INV-11
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Responsibilities

Position	Duties
Narcotics Inspection Unit Commander	<ul style="list-style-type: none"> • Assume responsibility and duties specified in MGL c.94C, s.47A, as the “<u>Evidence Officer</u>” for the Department; and • Shall have command and control of the Narcotics Locker (NIU Bunker) located at General Headquarters.
Troop/Section Commanders	<ul style="list-style-type: none"> • Ensure the security and safeguarding of all controlled substances held in all Stations/Sections/Units under their command.
Station/Section/Unit Commander	<ul style="list-style-type: none"> • Has the responsibility as the “<u>Evidence Officer</u>” of their Station/Section/Unit; • Has direct control and responsibility for the handling, storage, and security of controlled substances seized by members under their command; • Retain responsibility of all controlled substances and ensure adherence to Department Policy and Procedures; and • Ensure that members under their command are trained and familiar with the appropriate handling and storage of controlled substances. <p>In addition, Station/Section/Unit Commander may:</p> <ul style="list-style-type: none"> • Delegate the duties of the Evidence Officer to any member under their command; and • Designate that member to serve as the “<u>Assistant Evidence Officer</u>” for that Station/Section/Unit.
Investigating Officer of Controlled Substance(s)	<p>Upon arrival at the Station/Section/Unit the Investigating Officer shall:</p> <ul style="list-style-type: none"> • Log in the controlled substance(s) into the Station/Section/Unit Daily Administrative Journal and in the Temporary Narcotics Evidence Locker Journal;

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Subject Controlled Substance	Number INV-11
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**Responsibilities
(Continued)**

Position	Duties
Investigating Officer of Controlled Substance(s)	<ul style="list-style-type: none"> • Prior to the end of their shift tag each item or place each item in a Department Evidence bag with the information listed below. <ol style="list-style-type: none"> 1. Defendant's name(s). 2. Defendant's DOB. 3. Case number. 4. Date seized. 5. Location where seized. 6. A brief description of the item, listing the quantities on the evidence packaging and chain of custody form. • Indicate whether the controlled substance(s) have been transferred: <ol style="list-style-type: none"> 1. Directly to the Evidence Officer; or 2. The controlled substance(s) have been placed in the Temporary Contraband/Controlled Substance Locker with entries made into the Temporary Narcotics Evidence Locker Journal. • Ensure that the SP 295 Narcotics Custody Form is completed. <p><u>Note:</u> See Controlled Substance Storage Area within this policy for controlled substances that are too large to fit into the Temporary Contraband/Controlled Substances Locker.</p>

**Station/Section/
Unit Evidence
Officer**

The Station/Section/Unit Commander or Evidence Officer shall:

- Maintain the Temporary Narcotics Evidence Locker Journal issued by the Narcotics Inspection Unit;
- Ensure the Temporary Narcotics Evidence Locker Journal is kept near the Temporary Contraband/Controlled Substance Locker;
- Check the Temporary Narcotics Evidence Locker Journal and Temporary Contraband/Controlled Substance Locker during their shift for items that may have been deposited;
- Contact NIU and/or the CEL when controlled substances have been seized and are in the Temporary Controlled Substance Locker; and
- Ensure that the controlled substances are properly labeled and packaged by the Investigating Officer and that they have completed the SP 295.

Note: Assistant Evidence Officers shall perform duties as directed by the Station/Section/Unit Commander.

Subject	Number
Controlled Substance	INV-11

**Controlled
Substance
Storage Area**

Permanent Storage

Permanent Storage of controlled substances shall:

- Be stored at the CEL of jurisdiction and the NIU Bunker; and
- Not be stored in vehicles or personal storage areas.

Note: For training purposes, controlled substances may be stored at the Troop Headquarters K-9 Aid Storage Lockers with prior approval from the Troop Commander.

Temporary Storage

Each Station/Section/Unit shall:

- Be provided with a Temporary Contraband/Controlled Substance Locker with twenty-four (24) hour access to all authorized personnel;
- Allow for the temporary secure storage of controlled substances; and
- Have available a Temporary Narcotics Evidence Locker Journal to enter all pertinent information.

The Evidence Officer shall:

- Ensure that the Temporary Contraband/Controlled Substance Evidence Locker remains securely locked at all times; and
- Prevent access to unauthorized personnel.

Unusual Value or Size

The CEL of jurisdiction and/or the NIU Commander shall be called immediately for instructions and assistance when:

- Seized narcotics evidence is too large to fit in the temporary Contraband/Controlled Substance Evidence Locker; and
- When any amount of marijuana plants are seized.

The Evidence Officer shall:

Make arrangements with the NIU and/or the CEL of jurisdiction for the storage of items of extreme value or unusual size that meet the following criteria:

Narcotics	Quantity
Marijuana	50 pounds or more
Cocaine	10 ounces/280 grams or more
Heroin	28 grams or more
Tablets/Pills	1000 or more of Class A, B or C

Controlled substances meeting the above criteria shall:

- Not be held for more than seventy-two (72) hours at any Temporary Contraband/Controlled Substance evidence locker or CEL unless:
 1. Authorization is granted by the NIU Commander.
- Be stored at the NIU Bunker in Framingham. If possible, the controlled substance should be submitted to the Crime Laboratory for analysis prior to being secured at the NIU Bunker.

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Subject	Controlled Substance	Number	INV-11
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**Controlled
Substance
Storage Area
(Continued)**

The Evidence Officer or Investigating Officer shall:

- Notify the NIU or CEL forthwith to make arrangements for the transportation of the controlled substances according to NIU procedures.

**Chain of
Custody**

Change In the Chain of Custody

The Investigating Officer shall:

- Complete the SP 295 Narcotics Custody Form; and
- Ensure the SP 295 is attached to controlled substances involved in a temporary change of possession outside the custody of the Station/Section/Unit Evidence Officer.

Change in the chain of custody controlled substances shall:

- Be considered when controlled substances are required at judicial proceedings and are transferred to the Investigating Officer from the Station/Section/Unit Evidence Officer, CEL or NIU;
- Have entries made on the SP 295 and in the Temporary Narcotics Evidence Locker Journal (if applicable). In the event that additional space is required to accommodate entries on the SP 295, additional SP 295's shall be used and recorded as "Page 1 of 2, Page 2 of 2 etc"; and
- Require copies of the SP 295 be retained and distributed as indicated on the form.

Handling or Transport Controlled Substances

Each time controlled substances are handled or transported, members shall:

- Ensure the presence and condition of the controlled substance by examining the material without opening closed containers or breaking any seals;
- Obtain the signature of the receiving party; and
- Document the date and location on the SP 295.

Inspection of Control Substance Packaging

All members involved in the movement of controlled substances at either the Station/Section/Unit, CEL or, NIU level shall:

- Inspect the packaging for signs of tampering; and
- Immediately notify the Station/Section/Unit Commander and the NIU Commander if the packaging appears to have been tampered with.

The Station/Section/Unit Commander shall:

- Notify through channels to the Division of Standards and Training and request that an investigation be conducted.

Continued next page.

Subject	Number
Controlled Substance	INV-11

**Chain of Custody
(Continued)**

Control Substance Packaging Opened

When any controlled substance evidence is opened during a court proceeding:

- A SP 655 Court Order to Open Secured and Closed Narcotic Evidence form shall be generated and kept with the opened evidence;
- The SP 655 shall include the name of the judge who requested it to be opened; and
- The SP 655 shall be signed by the Presiding Judge that ordered the evidence opened, or by either the Assistant District Attorney (ADA), or the Clerk Magistrate of the Court.

Note: The Evidence Officer may complete the SP 655, however it shall only be signed by a judge, ADA, or clerk magistrate.

Inspections

Troop/Section Commanders shall:

- Conduct monthly line inspections of all Temporary Contraband/Controlled Substance Storage areas under their control to ensure compliance.

The NIU shall:

- Annually, or as directed by the Office of the Colonel/Superintendent, conduct official, unannounced, and random inspections of all Department Permanent Controlled Substance Storage Lockers to ensure compliance

The NIU shall:

- Issue a written report with its findings and observations regarding the inspection conducted;
- A copy of this report shall be sent to:
 1. The Troop/Station/Section/Unit Commander (if applicable),
 2. The supervisor of the CEL inspected; and
 3. The NIU Commander

The Staff Inspections may:

- Conduct periodic checks of all Department Controlled Substance Lockers to ensure integrity of the system.

Training

Station/Section/Unit Evidence Officers, CEL and NIU personnel may:

- Be required to attend specified training conducted by the NIU Commander; and
- Include classroom and/or online academy training.

Subject	Controlled Substance	Number	INV-11
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Inventories

When practicable as deemed by the Troop/Section Commander or designee, an inventory of all controlled substances may be conducted whenever a new Evidence Officer or Assistant Evidence Officer is designated.

In such instances, the outgoing and incoming Evidence Officers/Assistant Evidence Officers shall:

- Conduct an inventory jointly to verify controlled substances physically stored within that jurisdiction; and
- Document results within the Daily Administrative Journal.

References

MGL c.94C, s.47A
MGL c.22C, s.45, s.46
SP 295 Narcotics Custody Form
SP 655 Court Order to Open Secured and Closed Narcotic Evidence

Promulgated By:

Colonel Marian J. McGovern



Department of State Police General Order

Effective Date	Number
June 17, 2013	INV-11A
Subject	
Property and Contraband	

Policy

The Department shall establish procedures for all found, unclaimed, or abandoned property including contraband held within its custody to preserve the integrity of the Department and its personnel.

All levels of supervision shall ensure strict compliance with established procedures within this policy regarding processing, storage requirements, and inspection.

Definition

Found Property: Any property discovered or found by the general public and turned over to the Department or to any police officer.

Unclaimed/Abandoned Property: Any property that comes into the possession of the Department by means of any police officer with no known owner.

Contraband (excluding controlled substances):

- May be property that is not in and of itself unlawful for a person to acquire or possess; however
- May have been acquired by the Department because of its use in an unlawful activity or manner, of its nature, or due to circumstances surrounding the person who acquired or possessed it.

Note: Contraband in these instances shall be evidentiary and documented when applicable according to Policy and Procedure *INV-10 Evidence Collection and Preservation*.

Property Custodian: The Commanding Officer of each Station/Section/Unit shall be responsible for receiving, storing, maintaining, releasing, and accounting of all found, unclaimed, abandoned property and contraband under their command.

Subject Property and Contraband	Number INV-11A
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Responsibilities

Position	Duties
Troop/Section Commanders	<ul style="list-style-type: none"> • Ensure the security and safeguarding of all found, unclaimed, abandoned property and contraband, held in all Stations/Sections/Units under their command.
Station/Section/Unit Commander	<ul style="list-style-type: none"> • Shall be designated as the “<u>Property Custodian</u>” of their Station/Section/Unit; • Shall be responsible for receiving, storing, maintaining, releasing, and accounting of all found, unclaimed, abandoned property and contraband in accordance with this policy; • May delegate the duties of the Property Custodian to any member under their command and designate that member to serve as the “<u>Assistant Property Custodian</u>” for that Station/Section/Unit; • When applicable to do so, make arrangements to the appropriate facility for: <ol style="list-style-type: none"> 1. Property and contraband to be tested or analyzed; and 2. Firearms to be tested by the Department’s Firearms Identification Section. • Shall transport or designate the Assistant Property Custodian to transport any item requiring analysis or testing; and • Ensure that members under their command are trained and familiar with the appropriate handling and storage of all found, unclaimed, abandoned property and contraband.

Continued next page.

Subject	Number
Property and Contraband	INV-11A

	Position	Duties
Responsibilities (Continued)	Investigating Officer	<p>The Investigating Officer who has found, unclaimed, abandoned property or contraband shall prior to the end of their shift:</p> <ul style="list-style-type: none"> • Tag each item and/or place each item in a Department Evidence bag with the required information; • Secure any contraband in the Temporary Contraband/Controlled Substances Locker; • Log the contraband in the Temporary Contraband/Controlled Substances Journal; • Ensure a complaint or case number be assigned for found, unclaimed or abandoned property; • Provide a copy of the investigative report to the Property Custodian or Assistant Property Custodian to be placed with the found, unclaimed, abandoned property or contraband; • Provide the Desk Officer with a complete inventory of any found, unclaimed, abandoned property or contraband to be logged into the Daily Administrative Journal (DAJ); <p><u>Note:</u> Found, unclaimed, abandoned property, or contraband may be given directly to the Property Custodian or Assistant Property Custodian to be secured accordingly.</p> <p>Whenever evidence and/or currency are seized, members shall adhere to Policy and Procedure:</p> <ul style="list-style-type: none"> • INV-10 Evidence Collection and Preservation; and • INV-14 Seized Currency.

Subject	Property and Contraband	Number	INV-11A
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Storage Area Provisions

Station/Section/Units Permanent Storage

The Contraband Storage Locker shall be:

- Located and alarmed to allow for proper monitoring and security thus preventing unauthorized entry; and
- Maintained to prevent damage to property, contraband or other evidence that may occur due to moisture or extreme room temperature fluctuations.

Contraband/evidence shall:

- Be stored within a secure area within the State Police facility of jurisdiction;
- Not be stored in vehicles or personal storage areas; and
- Secure perishable items requiring refrigeration within the facility's identified refrigerator.

Troop/Section Storage Area

Troop/Section Commanders shall:

- Maintain a contraband storage area within their Troop/Section Headquarters;
- The Troop/Section storage area shall be under the control of the Cases and Reports Supervisor; and
- The storage area shall be used to store contraband/property that has been forwarded and awaiting destruction or disposal.

Temporary Locker

Temporary Storage

Each Station/Section/Unit shall:

- Be provided with a Temporary Contraband/Controlled Substance Evidence Locker with twenty-four (24) hour access to all authorized personnel;
- Allow for the temporary secure storage of contraband;
- Have available a Temporary Contraband/Controlled Substances Evidence Journal to enter all pertinent information; and
- In the event that an item is too large to fit into the Temporary Contraband/Controlled Substances Evidence Locker, the Investigating Officer shall:
 1. Consult with the Property Custodian, Assistant Property Custodian or their Supervisor in locating another secure location.

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Subject Property and Contraband	Number INV-11A
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Temporary Locker (Continued)

Items secured in the Temporary Contraband/Controlled Substances Evidence Locker shall have an entry made into the Temporary Contraband/Controlled Substances Evidence Journal listing:

1. Investigating Officer's name;
2. Investigating Officer's ID#;
3. Defendant's name(s);
4. Defendant's DOB;
5. Case number;
6. Date seized;
7. Location where seized; and
8. A description of the item(s) including the number of items.

Chain of Custody

Change In the Chain of Custody

When the Property Custodian or Assistant Property Custodian transfers evidence, contraband or property to an Investigating Officer for judicial proceedings it shall be considered a change of possession within the chain of custody. Both the Property Custodian/Assistant Property Custodian and Investigating Officer shall:

- Ensure appropriate entries are made within the Contraband Ledger and the DAJ; and
- Ensure all of the appropriate Department forms are completed indicating the change in possession.

Documentation of Chain of Custody

The Investigating Officer shall:

- Ensure the appropriate chain of custody forms are completed for evidence involving alcohol analysis or the examination of physical evidence;
- Ensure the appropriate chain of custody form(s) accompanies evidence or contraband whenever it is involved in a temporary change of possession outside of the custody of either the Property Custodian or Assistant Property Custodian and/or the Investigating Officer;
- Ensure that a record is made into the Station/Section/Unit's Contraband Ledger and DAJ identifying the new custodian; and
- Ensure the record identifies the evidence or contraband accordingly.

Inspection Evidence or Contraband

All members involved in the movement of evidence or contraband at the Station/Section/Unit, shall:

- Inspect the packaging for signs of tampering;
- Immediately notify the Station/Section/Unit Commander if the packaging appears to have been tampered with.

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Subject Property and Contraband	Number INV-11A
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Chain of Custody (Continued)

Chain of Custody Forms

- *SP 145 Chain of Custody: Contraband /Evidence/Property Form:* Used for all evidence (excluding controlled substances), contraband, found/unclaimed or recovered property to show the chain of custody of the item/property.
- *Forensic Services Group Forms*
The following forms shall be used when necessary, retained and copies distributed as indicated:
 - *Alcohol Analysis Form:* Evidence requiring the analysis of alcohol content;
 - *Evidence Submission Form:* Evidence or contraband requiring analysis; and
 - *SP 295 Drug Submission Form:* Controlled Substances requiring analysis.

Troop/Section Supervisor of Cases and Reports

- The Troop/Section Cases and Reports Supervisor shall:
- Sign and date the Station/Section/Unit Contraband Ledger as the final receiver of the property;
 - Ensure a red line be drawn diagonally through the ledger entry to indicate final disposition and case closed;
 - Destroy contraband in an appropriate and acceptable manner in the presence of another commissioned officer; and
 - Submit a written report, through channels, to the appropriate Troop/Section Commanding Officer or designee, listing the final disposition of all contraband.

Property to be Auctioned

- Per Massachusetts General Law (MGL) 22c. s. 45-46, the Department may:
- Sell held properties at a public auction; and
 - Only sell after six (6) months when there is no proven ownership of the property.

The Department may select a vendor to hold the public auctions in accordance with establish procedures. Information and instructions regarding the auction vendor and procedures shall be posted on DocuShare under *Bulletins-Public Auction Vendor*.

Prior to the auction, Media Relations shall promulgate a notice per (MGL) 22c. s. 45, to the necessary media news outlets and newspapers that contain the following information :

- The time and place of the auction; and
- Description of the property to be auctioned.

Subject Property and Contraband	Number INV-11A
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Returning Property to Owner

When property is disposed or returned to an owner specific information shall be recorded on the SP 145 and shall be:

- Attached (original) to the report and retained at the Station/Section/Unit;
- Forwarded (copy) to the Property Custodian or Assistant Property Custodian for filing;
- Forwarded (copy) to the Troop/Section Supervisor of Cases and Reports and retained on file.

Staff Inspection Unit

The Staff Inspection Unit shall conduct periodic audits of all Department Contraband Storage Lockers to ensure the integrity of the system.

Inspections

Troop/Section Commanders or designee shall:

- Conduct biannual line inspections of all contraband storage areas under their control to ensure compliance.

The Office of the Colonel/Superintendent, may direct:

- The unannounced random inspections of all Department contraband lockers to ensure compliance.

References

MGL c.94C, s.47A
MGL c.22C, s.45, s.46
Alcohol Analysis Form
Evidence Submission Form
SP 295 Drug Submission Form
SP 145 Chain of Custody: Contraband/Evidence/Property Form

Promulgated By: