

DEPARTMENT OF HUMAN SERVICES
DIVISION OF JUVENILE JUSTICE SERVICES
POLICY AND PROCEDURES

Policy No: 05-09
Subject: Evidence

Effective Date: 11/01/04

Revision Date: 05-14-15

I. Policy Statement

Staff in Division facilities/programs shall secure and temporarily hold any item identified as potential evidence until it can be retrieved by law enforcement personnel. In the event that law enforcement personnel decline to take custody of the item, staff shall then manage the item in accordance with Division Policy 05-10 Contraband.

II. Rationale

Maintaining the chain of custody of evidence and preventing tampering with evidence, allows the Division and/or law enforcement personnel to prove or disprove an issue, pursue disciplinary action for potential violations of policies or procedures, and/or pursue prosecution for potential violations of federal or state law.

III. Definitions

- A. "Evidence" is any item that might prove or disprove an issue in question; or any item collected that may be used in the prosecution of a violation of federal or state law and/or Department or Division policy and procedures.
- B. The "chain of custody of evidence" refers to the ability to establish possession of an item of evidence at all times.

IV. Procedures

- A. Staff shall take control of any item discovered which might constitute evidence, and shall seal the item in an envelope or package at the time it is discovered. The envelope shall be sealed and encircled several times with tape sufficient to prevent tampering.
- B. Staff shall write their name, signature, date and time directly on the tape in the presence of a witness to document the securing of the item. Staff shall also document the discovery, securing and location of the evidence item on an Incident Report per Division Policy 05-15.
- C. Staff shall place the sealed and signed envelope/package in the facility's/program's safe or designated secure area.

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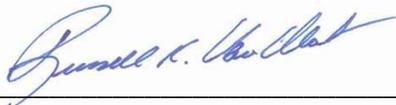
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- D. The facility/program Assistant Program Director (APD), Program Director (PD) or designee is responsible to securely store a potential evidence item until it can be released to law enforcement.
- E. Staff shall document in a shift log and the initial incident report or supplemental report, the date, time, and name of the officer taking custody of the item. In the event that law enforcement personnel does not take custody of an item of potential evidence, the APD is responsible for the proper disposal of the item in accordance with Division Policy 05-10 (Contraband).

V. Continuous Renewal

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Board of Juvenile Justice Services and is approved upon the signature of the Director.



Russell K. Van Vleet, Chair
Board of Juvenile Justice Services

05-14-15

Signature Date



Susan Burke, Director
Division of Juvenile Justice Services

05-14-15

Signature Date