

Brief reason for the revision:

A policy update to reflect the current operational best practice for collecting, retaining, and preserving of digital evidence. Furthermore, these updates reflect the use of Axon Evidence as the Department DEMS and a single point of storage for all digital evidence.

618 Property and Evidence Collection Procedures

618.2 DEFINITIONS

(a) **Administrative Value (AV):** - The ~~Administrative Value~~ retention period is generally associated with routine or administrative business documents. The retention period is tied to the usefulness of the records for the conduct of current or future administrative business.

~~(a)~~(b) **Digital Evidence Management System (DEMS):** - The Departments Digital Evidence Management System is Axon Evidence™, also known as evidence.com. All digital evidence, such as photographs and videos, should be uploaded or imported to the DEMS.

618.3 GENERAL PROVISIONS

618.4 PHYSICAL EVIDENCE COLLECTION

Employees will assess a crime scene before seizing any item of physical evidence. Only items of physical evidence that relate to allegations of criminal conduct or the identity of a suspect will be seized. Employees will ensure that items identified as evidence are not tampered with in any way prior to being photographed and collected.

- (a) Guidelines for crime scene and latent print processing are outlined in General Order 401 (Preliminary Field Investigations).
- (b) Before seizing physical evidence, it should be photographed or videotaped in its original location and condition, with a scale marker when practical and necessary to the investigation.
 1. Crime Scene personnel should be used to photograph or videotape all physical evidence found at major crime scenes.
 2. Employees should use the Axon Capture™ application on the Department issued cell phone ~~to who are qualified in the use of Department issued cameras should~~ photograph or videotape physical evidence at lesser crime scenes
- (c) Seized physical items, such as, cell phones and computers, containing original digital evidence requiring forensic analysis will be submitted to the Digital Forensics Unit along with the appropriate request.
- (d) Seized physical items containing original digital evidence not requiring forensic analysis will be processed in the following manner:
 1. The device will be submitted to evidence according to section 618.6 of this order.
 2. Digital media from the device will be processed by the appropriate investigative unit according to section 618.5 of this order.

618.4.1 STOLEN PROPERTY

- (a) Employees will only seize items considered as stolen property when reasonable grounds exist to believe it is stolen or when the items are readily identifiable and traceable.

(b) In theft offenses, if the owner of the property is known and the ownership of the property is uncontested, employees will take a ~~digital image~~ photograph or video of the property and make a reasonable effort to return it to the owner.

1. Property recovered in shoplifting offenses will generally not be seized.

~~2. If a digital camera is not available at the scene, personnel may bring the property to the station to be photographed and then return the property to the rightful owner. Employees should use the Axon Capture™ application on the Department issued cell phone to photograph or videotape the property on scene.~~

618.5 DIGITAL EVIDENCE COLLECTION AND STORAGE

The purpose of this section is to give employees guidelines for collection and storage of digital evidence. The Department utilizes various vendors for digital storage; however, the primary Digital Evidence Management System (DEMS) is Axon Evidence™. ~~due to limited space, in some cases,~~ digital evidence ~~will~~ may still need to be stored in a Digital Case Folder. The digital case folder is a subfolder within the unit's respective G drive folder that contains digital evidence that is not already stored in other approved locations. Each investigative unit shall create and maintain the folder according to records retention. Cases should be organized by the case number year and clearly labeled for easy retrieval.

(a) ~~Photos~~ Photographs

1. ~~Photos~~ Photographs taken with the Axon ~~Body Camera App~~ Capture™ application on the Department issued cell phone are uploaded to ~~Evidence.com~~ the DEMS.

2. ~~Photos~~ Photographs taken with City owned digital cameras are uploaded or imported into the DEMS. ~~uploaded to Digital Crime Scene Management System (DCSMS)~~.

3. ~~Photos taken with personal digital cameras are stored in the digital case folder~~ Employees shall not use personal digital cameras or cell phones to photograph evidence.

4. Axon Citizen® should be used for Digital photos provided by outside sources, such as, citizens or other law enforcement agencies, to submit photographs. ~~are stored in the digital case folder.~~

5. Physical ~~photos~~ photographs that are provided by outside sources will be scanned and ~~stored in the digital case folder~~ uploaded or imported into the DEMS. Submit ~~Originals~~ are submitted to for evidence.

(b) Videos

1. Videos ~~captured on the Body Worn Camera (BWC)~~ taken on the Axon Capture™ application on the Department issued cell phone are uploaded to ~~Evidence.com~~ the DEMS.

~~2. Videos captured on an in-car video system are uploaded to the Department's relevant official system of record~~ Videos taken with City owned digital cameras are uploaded or imported to the DEMS.

~~2.3. Employees shall not use personal digital cameras or cell phones to videotape evidence.~~

~~3.4. Videos, such as, surveillance~~ Axon Citizen® should be used to submit any videos, provided by outside sources such as citizens or other law enforcement agencies, and uploaded to DEMS. ~~are stored in the digital case folder.~~ The original device the video was provided on is submitted ~~to~~ for evidence.

(c) Documents

1. Digital documents, excluding photos and videos, are uploaded to Versadex.

2. Emails that are relevant to a case are stored in the digital case folder.

- (d) Any other digital evidence not mentioned here that is not stored elsewhere shall be stored in the digital case folder.
- (e) All digital evidence collected by employees using Axon Capture™ shall be uploaded to the DEMS prior to clearing the call to ensure evidence is not lost.
- (f) Employees shall add a minimum retention category of 'Evidence' when collecting and uploading evidence collected using Axon Capture™. In addition, employees should select any and all other retention categories that may apply.
- (g) Detectives are responsible for verifying the category assigned to evidence for assigned incidents within 30 days of the incident. Detectives are also responsible for updating the category for digital evidence when necessary to ensure proper retention.
- ~~(d)~~(h) Employees assigned to the Forensics Science Department Bureau (FSD B) will follow FSB Crime Scene protocol to capture and store images.