



CITY OF PORTLAND, OREGON



Bureau of Police

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Executive Summary Directive 0660.10, Property and Evidence Procedures

Introduction

The Portland Police Bureau initiated its review of Directive 0640.80, Property and Evidence Procedures, in January 2021.

The Bureau made few changes to the revised directive, as the directive was comprehensively revised in recent years. However, this year's review and accompanying revised directive includes a few noteworthy changes.

The revised directive introduces new terms to the definitions section, provides guidance on the use of IBIS/NIBIN evidence lockers, changes language to clarify practices regarding Fentanyl, DNA and firearms, and digital evidence, and authorizes appropriately trained non-sworn personnel to release evidence in limited circumstances.

Public Comments

The Bureau received comments during both of the universal review and public comment periods for the directive. Several commenters pointed out references to the Gun Violence Reduction Team (GVRT) and other specialty units that no longer exist. The revised directive strikes all references to GVRT and other nonexistent units. The Bureau also received several comments offering corrections to typographical errors and suggestions for clarifying language. Where applicable and appropriate, the Bureau revised language to address comments received.

The Bureau also received a comment about the order of fingerprint processing and test firing firearms. Per Forensic Evidence Division, a careful, gloved test firing typically does not interfere with usable fingerprints on a firearm, and the existing language accurately reflects current practices.

New Definitions & IBIS/NIBIN Evidence Lockers

The revised directive includes several new or revised definitions. The policy now includes a definition for "digital evidence" which is consistent with the definition in DIR 0640.02, Photography and Digital Imaging. The definition of "evidence" was reworded for simplicity and increased accuracy. Finally, the revised directive introduces the term "IBIS/NIBIN evidence lockers" which are lockers designated for firearms and firearms related evidence requiring Integrated Ballistic Identification System/National Integrate Ballistic Information Network (IBIS/NIBIN) processing and entry. The use of these lockers is discussed throughout the directive.

Language Changed for Clarity and Consistency

The revised directive addressed a few typographical errors, and changed passive voice to active voice in several places. It also broadened language regarding protective gear required during contaminated firearm processing to account for potential changes in technology, and changed “DA” to prosecutor when appropriate to account for federal prosecutions.

The revised directive also changed language in the section discussing Fentanyl processing to reflect the Forensic Evidence Division’s standard operating procedure language for consistency.

The revised directive reworked the Interview Recording and Processing Digital Evidence sections to streamline the information and provide storage guidance consistent with Directive 0640.02, Photography and Digital Imaging.

Finally, the Processing Firearms section was edited for clarity and brevity, and updated to address IBIS/NIBIN lockers and changes in Bureau personnel responsible for firearms and DNA evidence consultation.

Release of Property

The former directive provided that only sworn members were authorized to release evidence. The revised directive allows for non-sworn members who have received appropriate training to release evidence in limited circumstances. This change allows RU managers more flexibility and efficiency when managing the disposition of property and evidence when the relevant delivering or investigating sworn member has separated from the Bureau.

The Bureau’s Revised Policy

Primary changes to revised Directive 0660.10, Property and Evidence Procedures include introducing IBIS/NIBIN evidence lockers, editing language for clarity, and authorizing appropriately trained non-sworn personnel to release evidence in limited circumstances.

The Bureau welcomes further feedback on this policy during its next review.

This directive goes into effect on September 2, 2021. Published on August 3, 2021.

0660.10, Property and Evidence Procedures

Refer:

- ORS § 98.245 Disposition of unclaimed property; notice of pending disposition; procedure
- ORS§ 133.033 Peace Officer; Community Caretaking Functions
- ORS§ 133.455 Receipts from Property taken from Person in Custody
- ORS§ 133.595 List of Things Seized
- ORS§ 475.235 Presumptive Testing of Controlled Substances
- Portland City Code 5.36.015 Disposition of Unclaimed and Found Personal Property
- DIR 0640.02, Photography and Digital Imaging
- DIR 0640.13, Drug Lab Procedures
- DIR 0640.20, Sexual Assault Kits and Sexual Assault Investigations
- DIR 0650.00, Search, Seizures, and Inventories
- DIR 0740.00, Explosive Device Incidents and EDU
- DIR 1020.00, Weapons Administration
- Oregon State Police (OSP) Forensic Sciences Request (FSR) Form (Form 49)
- Portland Police Bureau (PPB) Property and Evidence Division (PED) Evidence Transfer Form
- PPB Forensic Processing Request Form
- PPB PED Officer Disposition Report/Trace Form
- PPB PED Order for Property Release Form
- PPB PED Property/Evidence Receipt
- PPB PED Officer Packaging Manual
- PPB PED SOP #4 Firearms – Receive, Store, Transfer/Release, Dispose
- PPB PED SOP #8 Restricted Weapons
- PPB PED SOP #14 Property/Evidence Disposal

Definitions:

- Digital evidence: Information of probative value that is stored or transmitted in binary form.
- Evidence: Any article or information that may tend to prove or disprove the facts of a criminal case.
- Found property: Any article accepted into police custody that has been lost or abandoned and is not connected with a known or suspected criminal offense.
- IBIS/NIBIN evidence lockers: Evidence lockers located in North Precinct Satellite Property Room designated for firearms and firearms related evidence requiring Integrated Ballistic Identification System/National Integrated Ballistic Information Network (IBIS/NIBIN) processing and entry.
- Prisoner's property: Personal property belonging to an arrested suspect that is not needed as evidence.

- **Safekeeping Property:** Any article that is voluntarily relinquished to police custody or taken to prevent serious harm to any person or property under the provisions of ORS§ 133.033, Peace Officer; Community Caretaking Functions.
- **Satellite Property Room:** An area at designated Police Bureau sites set aside for the temporary storage of evidence and property.

Policy:

1. This directive establishes standardized procedures for seizing and storing evidence and/or property in accordance with Property and Evidence Division (PED) practices. Additionally, this directive mandates procedures for requests concerning the testing, transfer, and release of evidence or property.

Procedure:

1. Receipting Property and Evidence.

- 1.1. Any member who takes possession of property and/or evidence shall complete a PED Property/Evidence Receipt (“PED receipt”).
- 1.2. Members shall provide the following required information in the appropriate spaces on the form:
 - 1.2.1. Date and time.
 - 1.2.2. Case number.
 - 1.2.3. Type of property.
 - 1.2.4. Type of incident.
 - 1.2.5. Delivering member’s name and DPSST number (ID#).
 - 1.2.6. Investigating member’s name and identification (if applicable).
 - 1.2.7. For prisoner’s property:
 - 1.2.7.1. Defendant or suspect’s name (owner).
 - 1.2.7.2. Owner’s address and zip code, when known.
 - 1.2.8. For found and safekeeping property:
 - 1.2.8.1. Owner’s name.
 - 1.2.8.2. Owner’s address and zip code, when known.
 - 1.2.8.3. If the owner is unknown, members shall write “unknown” in the Owner field.
 - 1.2.8.4. When found property is received from a finder, the finder’s name shall be placed in the space marked “Property Taken From” and the member shall issue the finder the yellow copy of the PED receipt.
 - 1.2.9. A full description of each item submitted, including serial numbers, if applicable.
 - 1.2.9.1. Firearms require documentation of the serial number, make, type, model, caliber, importer, and country of origin, when possible.
 - 1.2.9.2. For currency, the exact dollar and cents amount recovered and the country of origin of the currency. Members are not required to document serial numbers for recovered currency.
 - 1.2.10. Delivery destination (e.g., Property Evidence Division, Oregon State Police [OSP] Crime Lab, Forensic Evidence Division [FED], or if “other”, members

must describe). Members must include the locker location and number on the receipt.

1.3. Members shall handle copies of the PED receipt as follows:

1.3.1. Forward white copy to the Records Division (Records).

1.3.2. Give yellow copy to the person the property or evidence was taken from. If the person whose property was impounded is not available, the member shall leave the yellow copy at the scene where the property was found.

1.3.3. Pink copy shall accompany the property/evidence.

1.3.3.1. When delivering items to the satellite property rooms, members shall leave the pink copy of the PED receipt in the designated tray.

1.3.3.2. If property is released at the scene, members shall make an appropriate notation on the receipt and forward the pink copy to PED.

1.3.3.3. Members shall use separate receipts and separate packaging for items that are delivered to different locations.

1.3.3.4. Members shall forward all copies of voided receipts to PED.

2. Identifying Property and Evidence.

2.1. Members must complete and attach a property tag or evidence tag to items that are not packaged in evidence bags.

2.2. Members shall write identifying information on the evidence bag/tag to include: property evidence receipt number, date, PPB case number, delivering member's name and DPSST number, and content description.

3. Delivering Property and Evidence.

3.1. Members shall deliver property/evidence to PED, a satellite property room, FED, the Oregon State Crime Lab, or the IBIS/NIBIN evidence lockers prior to the end of their shift.

3.2. Firearms and cartridge casings that are eligible for Integrated Ballistics Identification System (IBIS) and National Integrated Ballistic Information Network (NIBIN) processing shall be delivered to the IBIS/NIBIN evidence lockers prior to delivery and submission to PED and/or FED. Members shall refer to Section 7, Processing Firearms, for eligibility requirements.

3.3. In emergency situations, property/evidence may need to be delivered to another location for investigative purposes; however, members must receive approval from their supervisor prior to delivery. Members shall notify PED of the location of the evidence via email at property.evidence@portlandoregon.gov as soon as practical.

3.4. Members who deliver evidence to a satellite property room shall store items in a locked locker when possible.

3.5. Evidence requiring fingerprinting shall be delivered to the FED property drop-off room located in the Justice Center or to any satellite PPB property room. Evidence delivered to a satellite property room shall be delivered to FED by PED personnel.

Members shall provide a completed Forensics Processing Request Form along with the pink copy of the property receipt to accompany the evidence. The Forensics Processing Request Form must be affixed to the front of the FED Incoming Evidence Locker where the evidence is placed. If DNA testing is also requested, members must complete an OSP Forensics Sciences Request (FSR) Form and attach it to the evidence.

3.5.1. The packaging in which drugs, drug paraphernalia, and money are recovered may be fingerprinted but the content of the packages themselves may not be delivered to FED. If the packaging requires fingerprinting, all package contents (e.g., money, drugs) must be removed and placed in a separate evidence bag before members deliver the packaging evidence for fingerprinting. Contents placed in a separate evidence bag must have a separate PED receipt with a notation referencing the transfer of the wrapping/container to another PED receipt.

3.5.1.1. When contents of a bag are repackaged in a separate bag, the name of the person removing the original contents and repackaging the original content into new bags must be noted on a tag placed both on the original packaging and the repackaging. This tag also must include the date of the repackaging and the associated case number that matches the tag on the original packaging.

3.5.2. FED shall only accept Fentanyl, Fentanyl-related or Carfentanil items if delivered by a sworn NOC member and with the FED Lieutenant's prior written approval via e-mail. This includes drugs or packaging material.

3.6. Evidence requiring crime lab analysis may be delivered as follows:

3.6.1. For narcotics, members shall refer to Section 4, Processing Controlled Substances.

3.6.2. All other evidence:

3.6.2.1. Members may deliver evidence directly to PED during business hours or to any satellite property room locker at any time. Members shall include a completed FSR Form and the pink copy of the PED receipt. Members who request DNA analysis must provide an appropriate police report. PED shall transfer the evidence to the crime lab; or

3.6.2.2. Members may deliver evidence directly to the crime lab during the lab's business hours with a completed FSR Form and the pink copy of the PED receipt.

3.6.2.3. Blood and urine samples must either be left in a refrigerator at a satellite property room or delivered to PED during business hours.

3.6.3. Members shall refer to the PED Officer Packaging Manual for packaging instructions.

3.7. Members shall initiate a PED call-out through the Bureau of Emergency Communications (BOEC) to notify PED staff during non-business hours for the following: property/evidence valued at over \$25,000; currency exceeding \$10,000; item(s) too large for a PED van; unusually large quantities of items; extremely heavy items; or samples of meth lab chemicals processed by NOC. The delivering member is responsible for transporting the property/evidence to PED.

4. Processing Controlled Substances.

- 4.1. Members shall package narcotics in accordance with the PED Officer Packaging Manual.
- 4.2. Members shall deliver narcotics based on their street value:
 - 4.2.1. Up to \$25,000 may be delivered to a drop safe or secure locker at any satellite property room or to PED.
 - 4.2.2. Over \$25,000 must be delivered directly to PED. After business hours, members shall initiate a call-out for PED staff via BOEC. If this amount requires crime lab testing, the delivering member shall be required to return to PED during business hours to transport the narcotics to the crime lab.
- 4.3. If narcotics need to be tested, members should conduct a presumptive test and submit a completed FSR Form to PED. Items shall be delivered to the lab once PED receives approval from the appropriate District Attorney's Office (DA).
- 4.4. Narcotics that have been seized as evidence as part of an Investigative/Reliability Buy operation, or as part of a case that is being prosecuted in federal court, must have the phrase "investigative buy" or "for federal prosecution" written on the property receipt. The investigating member shall fill out an FSR Form and submit it to PED. DA approval is not required for these items.
- 4.5. Members may contact PED or the OSP Crime Lab for information on current narcotics testing procedures.

5. Processing Marijuana Grow Operations.

- 5.1. The NOC is responsible for processing marijuana and related items associated with illegal grow operations. Members discovering illegal marijuana grow operations during NOC business hours shall request a NOC team to respond. After business hours, BOEC shall contact the on-call NOC sergeant upon request. Members shall include the name of the NOC supervisor contacted on the PED receipt and document the action in their report.

6. Processing Money.

- 6.1. When feasible, members shall photograph seized evidence money in amounts equal to or greater than \$100 at the scene where the money was discovered in order to document where, how, and in what condition the money was seized. If the photograph is not taken at the scene, members may photograph the money at a later time in a manner that shows the currency displayed or stacked with the original packaging. Members shall upload photos to the Digital Image Management System (DIMS) in accordance with Directive 0640.02, Photography and Digital Imaging. PED shall not take photos of the seized money.
- 6.2. Money shall be counted together by two members. The names of the two members shall be annotated in the appropriate report.

- 6.3. Members shall document the number of bills and/or coins of each denomination on the PED receipt along with the total amount.
- 6.4. Members may leave currency up to \$10,000 in a drop safe at any satellite property room or deliver it directly to PED. Currency in amounts greater than \$10,000 must be brought to PED. During non-business hours, members shall initiate a call-out for PED staff via BOEC.
- 6.5. PED shall perform a separate count of money greater than \$100. PED shall document any discrepancy in an appropriate report. A copy of the report shall be sent to the delivering member and the investigating member.
- 6.6. Members shall ensure case envelopes involving evidence money are stamped with "Money Seizure" in red ink.
- 6.7. Evidence money received at PED in amounts equal to or greater than \$100 may be deposited into an Evidence Money bank account after 60 days of storage unless the DA's Office, the case officer, or a detective directs PED to retain the physical currency for prosecution or investigative purposes. A requester seeking retention may contact PED who shall then send a confirmation back to the individual or agency.

7. Processing Firearms.

- 7.1. Firearms eligible for IBIS/NIBIN processing.
 - 7.1.1. Members shall only deliver firearms directly to the IBIS/NIBIN evidence lockers for IBIS/NIBIN processing if the firearm(s) is listed below and is considered evidence, found property, or surrendered. Safekeeping and prisoner property firearms are not eligible, unless they are surrendered and meet the eligibility below.
 - 7.1.1.1. Eligible firearms for submission include:
 - 7.1.1.1.1. All semi-automatic handguns.
 - 7.1.1.1.2. All semi-automatic rifles.
 - 7.1.1.1.3. All semi-automatic shotguns.
 - 7.1.1.1.4. All pump-action shotguns.
 - 7.1.2. During a firearm investigation, if a member identifies a need for biological or forensic evidence collection, either of the following must occur:
 - 7.1.2.1. If DNA is needed, members shall not touch the firearm and should contact FED to assist with DNA collection.
 - 7.1.2.2. If a member examines a firearm and observes ridge detail, a fingerprint, or believes that the fingerprint evidence is necessary, the member must complete an FSR form and attach it to the property receipt when securing the firearm in the IBIS/NIBIN lockers in the North Precinct Satellite Property Room. In most cases, a careful test-fire will come before fingerprint processing, but under rare circumstances, exceptions can be made by consulting with the IBIS/NIBIN officer. Investigations led by the Robbery Detail or Homicide Detail are an exception, and specific direction shall be made by the appropriate Detective Sergeant.

- 7.1.3. Members shall deliver eligible firearms and all spent cartridge casings directly to the IBIS/NIBIN evidence lockers.
 - 7.1.4. Members may contact the IBIS/NIBIN officer, PED, or the OSP Crime Lab with any questions about IBIS/NIBIN processing.
 - 7.1.5. Once the IBIS/NIBIN process is complete, the IBIS/NIBIN officer shall deliver and submit the firearm(s) or spent cartridge casings to PED as soon as practical.
- 7.2. Firearms not processed in IBIS/NIBIN.
- 7.2.1. Firearms not listed above that require fingerprinting and/or photographing shall be delivered directly to PED or FED.
 - 7.2.2. Members shall deliver any firearm not requiring IBIS/NIBIN or FED processing directly to PED or any satellite property room locker.
 - 7.2.3. Members shall ensure that firearms are unloaded and rendered safe for handling. If a firearm cannot be made safe by unloading and securing the action/cylinder open, or if there is any question as to whether the firearm is loaded, the member shall attach a red “Unsafe Firearm” tag to both the firearm and to the outside of the locker in which the firearm is placed.
 - 7.2.4. Members shall refer to the PED Officer Packaging Manual for instructions on packaging firearms and ammunition.
- 7.3. Surrendered firearms.
- 7.3.1. PPB members should be aware that members of the public may surrender a dangerous or deadly weapon for destruction to any on-duty sworn member at any precinct. Members shall conduct the following at the time of surrender:
 - 7.3.1.1. Members must obtain the name and address of the owner or the person surrendering the weapon, as well as pertinent information related to the weapon (i.e., serial number, make, model, caliber, importer and country of origin) from the person surrendering the weapon.
 - 7.3.1.2. Members must ensure a declaration from the individual is annotated on a property receipt. The declaration should include the statement: “I, [person surrendering property], voluntarily surrender this [weapon name] for destruction with the understanding that I knowingly forfeit any claim to the weapon.”
 - 7.3.1.3. Members shall provide the person surrendering the weapon a signed copy of the property receipt.
 - 7.3.1.4. If an individual chooses to surrender a weapon anonymously, the member shall still accept the weapon(s) and provide or attempt to provide a receipt.
 - 7.3.1.4.1. Members shall deliver the surrendered firearm(s) directly to the IBIS/NIBIN evidence lockers for IBIS/NIBIN processing if the firearm(s) meets eligibility listed in Section 7.1.1.1.
- 8. Processing Weapons Other than Firearms.**
- 8.1. Members shall package these weapons in accordance with the PED Officer Packaging Manual.
 - 8.2. Members shall refer to Section 7 for information regarding surrendering weapons for destruction.

9. **Processing Alcohol.**

- 9.1. Members who take possession of alcohol are encouraged to photograph and then release or dispose of the property unless it contains forensic evidence. Members shall upload photographs to DIMS in accordance with Directive 640.02, Photography and Digital Imaging.

10. **Processing Hazardous Items.**

- 10.1. With the exception of evidence samples collected by NOC at scenes of illegal drug labs, hazardous or noxious materials shall not be accepted by or stored in any PED facility due to the health risk posed by exposure. Members shall refer to Directive 640.13, Drug Lab Procedure, for additional guidelines. Members encountering hazardous or noxious materials that are not part of an illegal drug lab shall contact BOEC, which shall then notify the Portland Fire Bureau Hazardous Materials Team (HazMat).
- 10.2. NOC personnel shall package lab samples in accordance with the PED Officer Packaging Manual.
 - 10.2.1. NOC personnel shall issue PED receipts and complete an FSR Form for all samples taken. Members shall deliver samples and forms to the crime lab during business hours or to PED during non-business hours using the call-out procedure.
 - 10.2.2. Members shall deliver contaminated firearms (e.g., exposed to drug lab chemicals) from scenes of illegal drugs labs to PED or any satellite property room. All other contaminated articles, including paperwork, shall not be accepted or stored at a PED facility.
 - 10.2.3. Members shall not transport contaminated articles, excluding contaminated firearms, from scenes of illegal drug labs in any Bureau vehicle.
 - 10.2.4. Contaminated firearms shall not be available for further investigation or viewing purposes unless handled by NOC personnel wearing the same level, or better, of protective gear that was worn during the initial processing.
- 10.3. Items that have been contaminated with blood or other body fluids are considered bio-hazardous; members shall package these items in accordance with the PED Officer Packaging Manual.
 - 10.3.1. Members must deliver items that are wet with blood or other body fluids directly to PED during business hours or to the biohazard shed at the Rivergate Vehicle Storage Facility (RVS) after business hours. Members shall leave the pink copy of the PED receipt at RVS. Members shall not leave bio-hazardous items at any other property/evidence facility.
 - 10.3.2. Members may deliver items contaminated with blood or other body fluids that are dry to PED or any satellite property room locker.
- 10.4. Syringes present a serious health risk and must be handled with extreme care; members shall discard all syringes except those that are essential for prosecution purposes.
 - 10.4.1. Members shall discard unnecessary syringes into approved sharps containers only.

- 10.4.2. Members shall not deliver syringes or parts of syringes to the crime lab unless authorized by the Deputy District Attorney (DDA) in advance.
- 10.4.3. Members shall place syringes being submitted as evidence to the crime lab or PED inside plastic syringe holders. The crime lab and PED shall only accept syringes packaged in plastic syringe holders.
- 10.5. Explosives, bomb-making materials, ammunition .50 caliber or larger and commercial size fireworks shall not be accepted or stored at any PED facility. Members shall refer to DIR 0740.00, Explosive Device Incidents and Explosive Device Unit (EDU), for additional guidance.
- 10.6. Illegal fireworks that fill less than a regular-sized paper grocery sack may be delivered to PED or any satellite property room.
 - 10.6.1. Members shall place larger quantities in the orange wooden box adjacent to the bomb room on L-1 in the Justice Center. If that box is full, members shall contact EDU via the Dispatch Coordinator (DC) for disposition instructions. Members shall forward the pink copy of the PED receipt to PED.
 - 10.6.2. Members may place less than a dozen M-80 size devices in any property/evidence facility. Larger quantities and any device more powerful require special handling. Members must contact EDU via the DC for disposition instructions.
 - 10.6.3. Improvised, homemade, or modified fireworks shall not be accepted or stored in any property/evidence facility. Members must contact EDU via the DC for disposition instructions.
- 10.7. Gasoline shall not be accepted or stored at any property/evidence facility.
 - 10.7.1. Members must ensure fuel containers and small engines with gas tanks (e.g., lawn mowers, chain saws, generators) are emptied prior to delivery. Members may utilize equipment located at RVS to remove fuel from such items.
 - 10.7.2. Members shall deliver fuel containers and small engines with empty gas tanks to PED or any satellite property room. Members shall not leave these items at RVS.
 - 10.7.3. If the fuel is required as evidence, members shall place a sample of it into a sealed vial or jar and process it for the crime lab using a separate PED receipt and FSR Form. The remainder of the fuel shall be disposed of as outlined above.
- 10.8. Propane tanks and canisters may be delivered to PED or any satellite property room.
- 10.9. Members shall package deployed Conducted Electrical Weapon (CEW) probes in accordance with the PED Officer Packaging Manual.

11. Processing Sexual Assault Evidence.

- 11.1. Members shall refer to the PED Officer Packaging Manual for specific instructions on documenting and packaging sexual assault evidence.
- 11.2. Members shall refer to Directive 0640.20, Sexual Assault Investigations, for additional guidelines.

12. Processing Found Property.

- 12.1. Members are encouraged to determine ownership of found property and return it, if time and circumstances permit. Identified owners' names shall be written on the PED receipt. Members who return property directly to the owner shall mark the PED receipt with the words "Returned to Owner" and have the recipient sign the face of the receipt. Members shall forward the pink copy to PED.
- 12.2. Members should inform individuals who want to make a finder's claim for found property to contact PED within five days.
- 12.3. Members shall write "Finder's Claim" boldly across the face of the PED receipt to avoid unintentional disposal of the property.
- 12.4. Members shall deliver found property to PED or any satellite property room unless the property contains noxious or hazardous materials.
- 12.5. Members who come across a firearm that meets the eligibility listed in 7.1.1.1. shall deliver it directly to the IBIS/NIBIN evidence lockers for IBIS/NIBIN processing. Firearms that do not meet eligibility shall be delivered to PED or FED.

13. Processing Safekeeping Property.

- 13.1. When property is obtained for safekeeping purposes, the member shall leave the yellow copy of the PED receipt with the person from whom the property was obtained.
- 13.2. Members shall inform individuals who want to turn in weapons for safekeeping that policy does not permit PED to be used as a storage facility and weapons may be destroyed after 60 days if they are not retrieved. Members may suggest to individuals the use of commercially-available storage lockers.
- 13.3. Safekeeping property shall be released to the named owner upon demand after the property has been received at PED, which is usually one working day after turn-in.
- 13.4. Members may deliver safekeeping property to PED or any satellite property room unless the property contains noxious or hazardous materials.

14. Processing Prisoner's Property.

- 14.1. Members must provide the yellow copy of the PED receipt to the arrested subject prior to incarceration, as this is the only notification the arrested subject shall receive. Members should inform an arrested subject that the receipt must be maintained on their person or with their personal property kept at the jail, as appropriate. Members shall, when practical, advise arrested subjects that their personal property must be claimed within 60 days or it shall be disposed. Members shall document the delivery or provision of the yellow copy in the appropriate report.
- 14.2. Members may deliver a prisoner's property to PED or any satellite property room. The prisoner's property shall be released to the named defendant/subject upon demand

after the property has been received at PED, which is usually one working day after turn-in.

15. Processing Digital Evidence.

- 15.1. Members obtain digital evidence in a variety of ways. Some digital evidence is created by members (e.g., a member takes a photo on their Bureau-issued smart phone or records an interview using an electronic device). Other digital evidence is collected (e.g., a victim sends video surveillance or a photo to a member). Digital evidence may also exist on a seized electronic device (e.g., a laptop seized from a suspect).
- 15.2. Members shall store digital evidence according to their specific RU's SOPs.
- 15.3. If no SOP exists, then digital evidence shall be stored in the DIMS system according to DIR 0640.02, Photography and Digital Imaging.
- 15.4. If no SOP exists and the digital evidence is not DIMS compatible, investigators shall make an original copy of the evidence as soon as practicable on an external media (e.g., CD disc, thumb drive). The investigators shall submit this original copy with a property receipt to PED.
 - 15.4.1. PED shall retain the original copy and shall use it to make additional copies, as necessary.
 - 15.4.2. To preserve chain of custody, any time PED makes a copy of an electronic record, the PED staff member making the copy shall note on the property evidence tag the date the original media is opened and identify themselves as the person opening same, and shall again note their identity and the date the original media is resealed in the original packaging when the copy is complete.
 - 15.4.3. PED may purge the original copy pursuant to PED SOPs and with the permission of the investigator, the District Attorney's Office, or a court of law.

16. Checking Out Evidence.

- 16.1. When feasible, members intending to check out evidence should inform PED in advance to avoid delays.
- 16.2. Members shall maintain the chain of custody by signing for the items from PED.
- 16.3. If the possibility exists that a member may turn over custody of the evidence to the court, a prosecutor, another agency, or another member, PED shall provide the member with an Evidence Transfer Form to be used to maintain the chain of custody. The member shall obtain the signature of the person to whom custody was relinquished and ensure that the signed copy is returned to PED. Members must return either a signed Evidence Transfer Form or the checked-out evidence within 10 business days.
- 16.4. Upon the check-in of evidence, PED shall maintain the chain of custody by obtaining the delivering member's signature. If the member returns the evidence via a satellite

property room, the member shall sign and date the Evidence Transfer Form indicating when and in which locker the evidence was left.

17. Transferring Evidence.

- 17.1. Members may request that evidence be transferred to the crime lab for analysis by submitting a completed FSR Form to PED.
- 17.2. Members may request that evidence be transferred to FED for processing by submitting a completed Forensics Processing Request Form to PED.
- 17.3. Any other requests for transfer of evidence must be in writing and signed by a sworn member.

18. Releasing Property and Evidence.

- 18.1. It is the responsibility of PED to establish the owner's identity prior to releasing any property or evidence. PED may release the following property upon demand, generally within one business day after turn-in, after they have received it: found property belonging to an undisputed owner, safekeeping property for a named owner, and prisoner property for a named defendant/subject.
- 18.2. In cases where ownership is unknown or in dispute, PED shall refer inquiring persons to the delivering member to obtain written authorization to claim the property. If a member is unable to determine ownership due to conflicting claims, the member shall contact the City Attorney's Office for instructions.
- 18.3. Evidence shall be released to an owner when the item(s) is no longer needed as evidence and has been released by a sworn member, a court, or the appropriate prosecutor. Sworn members authorizing the release of evidence shall notify PED in writing.
- 18.4. When address information is available, PED shall attempt to notify property owners in writing of the availability of found, safekeeping, and releasable evidence items. Unclaimed property shall be eligible for disposal after 60 days.
- 18.5. Firearms and restricted weapons shall be released in accordance with the above procedures (Section 19.1. through 19.4.) and PED SOPs 4 and 8.
- 18.6. Money may be released by PED as cash. Money that has already been deposited shall be released via check.
- 18.7. Although the Multnomah County District Attorney's Office (MCDA) encourages the pretrial release of property to victims whenever possible, members should consult with the appropriate prosecutor prior to releasing property that may be evidence or authorizing PED to release property that may be evidence.

19. Disposition of Property and Evidence.

- 19.1. PED shall dispose of unclaimed, found, safekeeping and prisoner's property after 60 days of storage or after 60 days from the date of notice to the owner.
- 19.2. Evidence shall be authorized for release by the delivering or investigating sworn member, a court, or the appropriate prosecutor. Evidence items that are not retrieved within 60 days from the date of notice to the owner are subject to disposal. If the owner is unknown or cannot be located, or the items are contraband, the items shall be eligible for immediate disposal after PED receives authorization from the delivering or investigating sworn member, a court, or the DA's Office.
 - 19.2.1. If the delivering or investigating sworn member has separated from the Bureau, PED will assign the authority to release evidence to the delivering or investigating member's RU. RU managers are responsible for assigning the authority to release evidence to any member in their RU, sworn or non-sworn, who has received appropriate training in the disposition of property and evidence.
- 19.3. PED shall dispose of firearms and restricted weapons that are not claimed. All unclaimed ammunition shall be removed from PED and destroyed by EDU.
 - 19.3.1. Firearms suitable for use by the Bureau may be transferred to the Training Division armory inventory with the approval of the Chief of Police.
 - 19.3.2. When Bureau-owned firearms no longer meet Bureau requirements or serve Bureau purposes, the Training Division may document the firearms on an inventory sheet, including serial numbers, and turn them over to PED for disposal.
 - 19.3.3. Officially-recognized historical societies may apply for and, subject to approval by the Chief of Police and the City Council, arrange for the transfer of weapons with historical significance.
- 19.4. PED shall send Officer Disposition Reports and Trace forms to members for evaluation of further retention and disposition of evidence either electronically or through inter-office mail. Generally, members should notify PED to dispose of evidence whenever a member determines that it is no longer needed as evidence; however, upon receipt of an Officer Disposition Report, members shall indicate the appropriate disposition of the evidence and return the form or electronic notification to PED within 30 days.

History:

- Originating Directive Date: 09/06/2001
- Last Revision Signed: 8/3/2021
 - Effective Date: 9/2/2021
- Next Review Date: 9/2/2023

0660.10, Property and Evidence Procedures

Refer:

- ORS § 98.245 Disposition of unclaimed property; notice of pending disposition; procedure
- ORS§ 133.033 Peace Officer; Community Caretaking Functions
- ORS§ 133.455 Receipts from Property taken from Person in Custody
- ORS§ 133.595 List of Things Seized
- ORS§ 475.235 Presumptive Testing of Controlled Substances
- Portland City Code 5.36.015 Disposition of Unclaimed and Found Personal Property
- DIR 6400640.02, Photography and Digital Imaging
- DIR 0640.13, Drug Lab Procedures
- DIR 6400640.20, Sexual Assault Kits and Sexual Assault Investigations
- DIR 7400650.00, Search, Seizures, and Inventories
- DIR 0740.00, Explosive Device Incidents and EDU
- DIR 1020.00, Weapons Administration
- Oregon State Police (OSP) Forensic Sciences Request (FSR) Form (Form 49)
- Portland Police Bureau (PPB) Property and Evidence Division (PED) Evidence Transfer Form
- PPB Forensic Processing Request Form
- PPB PED Officer Disposition Report/Trace Form
- PPB PED Order for Property Release Form
- PPB PED Property/Evidence Receipt
- PPB PED Officer Packaging Manual
- PPB PED SOP #4 Firearms – Receive, Store, Transfer/Release, Dispose
- PPB PED SOP #8 Restricted Weapons
- PPB PED SOP #14 Property/Evidence Disposal
- ~~PPB Forensics Processing Request Form~~

Definitions:

- Digital evidence: Information of probative value that is stored or transmitted in binary form.
- Evidence: ~~AnAny article(s) taken into police custody or information that may furnish proof that an offense has been committed and/or certain person(s) committed an offense, or an article(s) taken into police custody that would tend to showprove or disprove the facts of a person(s) did not commit a crime.criminal case.~~
- Found property: ~~AnAny article(s)~~ accepted into police custody that has been lost or abandoned and is not connected with a known or suspected criminal offense.
- IBIS/NIBIN evidence lockers: Evidence lockers located in North Precinct Satellite Property Room designated for firearms and firearms related evidence requiring Integrated Ballistic Identification System/National Integrated Ballistic Information Network (IBIS/NIBIN) processing and entry.

- Prisoner's property: Personal property belonging to an arrested suspect that is not needed as evidence.
- Safekeeping Property: ~~An~~Any article(s) that is voluntarily relinquished to police custody or taken to prevent serious harm to any person or property under the provisions of ORS§ 133.033, Peace Officer; Community Caretaking Functions.
- Satellite Property Room: An area at designated Police Bureau sites set aside for the temporary storage of evidence and property.

Policy:

1. This directive establishes standardized procedures for seizing and storing evidence and/or property in accordance with Property and Evidence Division (PED) practices. Additionally, this directive mandates procedures for requests concerning the testing, transfer, and release of evidence or property.

Procedure:

1. Receipting Property and Evidence.

- 1.1. Any member who takes possession of property and/or evidence shall complete a PED Property/Evidence Receipt ("PED receipt").
- 1.2. Members shall provide the following required information in the appropriate spaces on the form:
 - 1.2.1. Date and time.
 - 1.2.2. Case number.
 - 1.2.3. Type of property.
 - 1.2.4. Type of incident.
 - 1.2.5. Delivering member's name and DPSST number (ID#).
 - 1.2.6. Investigating member's name and identification (if applicable).
 - 1.2.7. For prisoner's property:
 - 1.2.7.1. Defendant or suspect's name (owner).
 - 1.2.7.2. Owner's address and zip code, when known.
 - 1.2.8. For found and safekeeping property:
 - 1.2.8.1. Owner's name.
 - 1.2.8.2. Owner's address and zip code, when known.
 - 1.2.8.3. If the owner is unknown, members shall write "unknown" in the Owner field.
 - 1.2.8.4. When found property is received from a finder, the finder's name shall be placed in the space marked "Property Taken From" and the member shall issue the finder the yellow copy of the PED receipt.
 - 1.2.9. A full description of each item submitted, including serial numbers, if applicable.
 - 1.2.9.1. Firearms require documentation of the serial number, make, type, model, caliber, importer, and country of origin, when possible.
 - 1.2.9.2. For currency, the exact dollar and cents amount recovered and the country of origin of the currency. Members are not required to document serial numbers for recovered currency.

1.2.10. Delivery destination (e.g., Property Evidence Division, Oregon State Police ~~(OSP)~~ Crime Lab, Forensic Evidence Division [FED], or if “other”, members must describe). Members must include the locker location and number on the receipt.

1.3. Members shall handle copies of the PED receipt as follows:

1.3.1. Forward white copy ~~shall be forwarded~~ to the Records Division (Records).

1.3.2. Give yellow copy ~~shall be given~~ to the person the property or evidence was taken from. If the person whose property was impounded is not available, the member shall leave the yellow copy at the scene where the property was found.

1.3.3. Pink copy shall accompany the property/evidence.

1.3.3.1. When delivering items to the satellite property rooms, members shall leave the pink copy of the PED receipt in the designated tray.

1.3.3.2. If property is released at the scene, members shall make an appropriate notation on the receipt and forward the pink copy to PED.

1.3.3.3. Members shall use separate receipts and separate packaging for items that are delivered to different locations.

1.3.3.4. Members shall forward all copies of voided receipts to PED.

2. Identifying Property and Evidence.

2.1. Members must complete and attach a property tag or evidence tag to items that are not packaged in evidence bags.

2.2. Members shall write identifying information on the evidence bag/tag to include: property evidence receipt number, date, PPB case number, delivering member’s name and DPSST number, and content description.

3. Delivering Property and Evidence.

3.1. Members shall deliver property/evidence to PED, a satellite property room, FED, the Oregon State Crime Lab, or the ~~Gun Task Force (GTF)~~ IBIS/NIBIN evidence lockers prior to the end of their shift.

3.2. Firearms and cartridge casings that are eligible for Integrated Ballistics Identification System (IBIS) and National Integrated Ballistic Information Network (NIBIN) processing shall be delivered to ~~GTF~~ the IBIS/NIBIN evidence lockers prior to delivery and submission to PED and/or FED. Members shall refer to Section 7, Processing Firearms, for eligibility requirements.

3.3. In ~~emergent~~ emergency situations, property/evidence may need to be delivered to another location for investigative purposes; however, members must receive approval from their supervisor prior to delivery. Members shall notify PED of the location of the evidence via email at property.evidence@portlandoregon.gov as soon as practical.

3.4. Members who deliver evidence to a satellite property room shall store items in a locked locker when possible.

- 3.5. Evidence requiring fingerprinting shall be delivered to the FED property drop-off room located in the Justice Center or to any satellite PPB property room. Evidence delivered to a satellite property room shall be delivered to FED by PED personnel. Members shall provide a completed Forensics Processing Request Form along with the pink copy of the property receipt to accompany the evidence. The Forensics Processing Request Form must be affixed to the front of the FED Incoming Evidence Locker where the evidence is placed. If DNA testing is also requested, members must complete an OSP Forensics Sciences Request (FSR) Form and attach it to the evidence.
 - 3.5.1. The packaging in which drugs, drug paraphernalia, and money are recovered may be fingerprinted but the content of the packages themselves may not be delivered to FED. If the packaging requires fingerprinting, all package contents (e.g., money, drugs) must be removed and placed in a separate evidence bag before members deliver the packaging evidence for fingerprinting. Contents placed in a separate evidence bag must have a separate PED receipt with a notation referencing the transfer of the wrapping/container to another PED receipt.
 - 3.5.1.1. When contents of a bag are repackaged in a separate bag, the name of the person removing the original contents and repackaging the original content into new bags must be noted on a tag placed both on the original packaging and the repackaging. This tag also must include the date of the repackaging and the associated case number that matches the tag on the original packaging.
 - 3.5.2. The packaging for FED shall only accept Fentanyl-~~or~~, Fentanyl-related or Carfentanil items shall only be accepted by FED if delivered by a sworn Drugs and Vice Division (DVD) member, NOC member and with the FED Lieutenant's prior written approval via e-mail. This includes drugs or packaging material.
- 3.6. Evidence requiring crime lab analysis may be delivered as follows:
 - 3.6.1. For narcotics, members shall refer to Section 4, Processing Controlled Substances.
 - 3.6.2. All other evidence:
 - 3.6.2.1. Members may deliver evidence directly to PED during business hours or to any satellite property room locker at any time. Members shall include a completed FSR Form and the pink copy of the PED receipt. Members who request DNA analysis must provide an appropriate police report. PED shall transfer the evidence to the crime lab; or
 - 3.6.2.2. Members may deliver evidence directly to the crime lab during the lab's business hours with a completed FSR Form and the pink copy of the PED receipt.
 - 3.6.2.3. Blood and urine samples must either be left in a refrigerator at a satellite property room or delivered to PED during business hours.
 - 3.6.3. Members shall refer to the PED Officer Packaging Manual for packaging instructions.
- 3.7. Members shall initiate a PED call-out through the Bureau of Emergency Communications (BOEC) to notify PED staff during non-business hours for the following: property/evidence valued at over \$25,000; currency exceeding \$10,000;

item(s) too large for a PED van; unusually large quantities of items; extremely heavy items; or samples of meth lab chemicals processed by ~~DVDNOC~~. The delivering member is responsible for transporting the property/evidence to PED.

4. **Processing Controlled Substances.**

- 4.1. Members shall package narcotics in accordance with the PED Officer Packaging Manual.
- 4.2. Members shall deliver narcotics based on their street value:
 - 4.2.1. Up to \$25,000 may be delivered to a drop safe or secure locker at any satellite property room or to PED.
 - 4.2.2. Over \$25,000 must be delivered directly to PED. After business hours, members shall initiate a call-out for PED staff via BOEC. If this amount requires crime lab testing, the delivering member shall be required to return to PED during business hours to transport the narcotics to the crime lab.
- 4.3. If narcotics need to be tested, members should conduct a presumptive test and submit a completed FSR Form to PED. Items shall be delivered to the lab once PED receives approval from the appropriate District Attorney's Office (DA).
- 4.4. Narcotics that have been seized as evidence as part of an Investigative/Reliability Buy operation, or as part of a case that is being prosecuted in federal court, must have the phrase "investigative buy" or "for federal prosecution" written on the property receipt. The investigating member shall fill out an FSR Form and submit it to PED. DA approval is not required for these items.
- 4.5. Members may contact PED or the OSP Crime Lab for information on current narcotics testing procedures.

5. **Processing Marijuana Grow Operations.**

- 5.1. The ~~DVDNOC~~ is responsible for processing marijuana and related items associated with illegal grow operations. Members discovering illegal marijuana grow operations during ~~DVDNOC~~ business hours shall request a ~~DVDNOC~~ team to respond. After business hours, BOEC shall contact the on-call ~~DVDNOC~~ sergeant upon request. Members shall include the name of the ~~DVDNOC~~ supervisor contacted on the PED receipt and document the action in their report.

6. **Processing Money.**

- 6.1. When feasible, members shall photograph seized evidence money in amounts equal to or greater than \$100 at the scene where the money was discovered in order to document where, how, and in what condition the money was seized. If the photograph is not taken at the scene, members may photograph the money at a later time in a manner that shows the currency displayed or stacked with the original packaging. Members shall upload photos to the Digital Image Management System (DIMS) in accordance with Directive ~~6400640~~.02, Photography and Digital Imaging. PED shall not take photos of the seized money.

- 6.2. Money shall be counted together by two members. The names of the two members shall be annotated in the appropriate report.
- 6.3. Members shall document the number of bills and/or coins of each denomination on the PED receipt along with the total amount.
- 6.4. Members may leave currency up to \$10,000 in a drop safe at any satellite property room or deliver it directly to PED. Currency in amounts greater than \$10,000 must be brought to PED. During non-business hours, members shall initiate a call-out for PED staff via BOEC.
- 6.5. PED shall perform a separate count of money greater than \$100. PED shall document any discrepancy in an appropriate report. A copy of the report shall be sent to the delivering ~~officer~~member and the investigating member.
- 6.6. Members shall ensure case envelopes involving ~~money~~ evidence money are stamped with "Money Seizure" in red ink.
- 6.7. Evidence money received at PED in amounts equal to or greater than \$100 may be deposited into an Evidence Money bank account after 60 days of storage unless the DA's Office, the case officer, or a detective directs PED to retain the physical currency for prosecution or investigative purposes. A requester seeking retention may contact PED who shall then send a confirmation back to the individual or agency.

7. Processing Firearms.

7.1. Firearms eligible for IBIS/NIBIN processing.

- 7.1.1. Members shall only deliver firearms directly to the ~~GTF~~IBIS/NIBIN evidence lockers for IBIS/NIBIN processing if the firearm(s) is listed below and is considered evidence, found property, or surrendered. Safekeeping and prisoner property firearms are not eligible, unless they are surrendered and meet the eligibility below.

7.1.1.1. Eligible firearms ~~and calibers~~ for submission include:

~~7.1.1.1.1. .22 Caliber (S/L/LR)~~

~~7.1.1.1.2. .22 Caliber (Magnum)~~

~~7.1.1.1.3. .25 Auto, 6.35mm~~

~~7.1.1.1.4. .32 Auto, 7.65mm~~

~~7.1.1.1.5. .380 Auto (9mm Kurz, 9mm Corto, 9mm Browning short)~~

~~7.1.1.1.6. 9mm (9mm {9x19} Luger or Parabellum, 9mm Largo, 9x18 Makarov)~~

~~7.1.1.1.7. .357 Sig and Magnum~~

~~7.1.1.1.8. .38 Super~~

~~7.1.1.1.9. .40 (S&W) 10mm Auto)~~

~~7.1.1.1.10. .44 Magnum and Auto~~

~~7.1.1.1.11. .45 Auto~~

~~7.1.1.2. The following rifles are currently eligible for IBIS/NIBIN testing:~~

~~7.1.1.2.1. Semiautomatic rifles in .22 LR~~

~~7.1.1.2.2. Semiautomatic rifles in 7.62x25 Tokarev~~

~~7.1.1.2.3. Semiautomatic rifles in 7.62x39 (SKS & AK rifles)~~

- ~~7.1.1.2.4. Semiautomatic rifles in .223 REM (5.56)~~
- ~~7.1.1.2.5. Any semiautomatic rifle that fires a handgun round.~~
- ~~7.1.1.1.1. All semi-automatic handguns.~~
- ~~7.1.1.1.2. All semi-automatic rifles.~~
- ~~7.1.1.1.3. All semi-automatic shotguns.~~
- ~~7.1.1.1.4. All pump-action shotguns.~~
- 7.1.2. During a firearm investigation, if a member identifies a need for biological or forensic evidence collection, either of the following must occur:
 - 7.1.2.1. If DNA is needed, members shall not touch the firearm and ~~must contact the on-duty uniform Gang Enforcement Team (GET), on-duty Gun Violence Response Team (GVRT), or page out the on-call Gun Task Force (GTF) member 24/7 to coordinate DNA collection and processing. FED can also assist with DNA collection if TOD personnel (GET, GVRT, GTF) are not available; however, all firearm-related DNA requests must be vetted by the TOD Sergeant who oversees the GTF due to a specific agreement between TOD and the OSP Crime Lab.~~ should contact FED to assist with DNA collection.
 - 7.1.2.2. If a member examines a firearm and observes ridge detail, a fingerprint, or believes that the fingerprint evidence is necessary, the member must complete an FSR form and attach it to the property receipt when securing the firearm in the ~~TOD~~IBIS/NIBIN lockers in the North Precinct Satellite Property Room. In most cases, a careful test-fire will come before fingerprint processing, but under rare circumstances, exceptions can be made by consulting with the ~~GVRT Sergeant,~~IBIS/NIBIN officer. Investigations led by the Robbery Detail or Homicide Detail are an exception, and specific direction shall be made by the appropriate Detective Sergeant.
 - ~~7.1.3. Members shall deliver eligible firearms and all spent cartridge casings directly to the GTF during regular business hours or the secured drop box at the GTF after hours. In urgent situations, supervisors shall initiate a call-out of GTF personnel through BOEC.~~
 - ~~7.1.3. When submitting firearms or casings, members must complete an FSR form to the OSP Crime Lab for IBIS classification and include the form(s) with the NIBIN evidence when delivering and submitting the item(s) to the GTF lockers.~~
 - 7.1.4. Members may contact the ~~GTF~~IBIS/NIBIN officer, PED, or the OSP Crime Lab with any questions about IBIS/NIBIN processing.
 - 7.1.5. Once the IBIS/NIBIN process is complete, ~~GTF personnel~~the IBIS/NIBIN officer shall deliver and submit the firearm(s) or spent cartridge casings to PED as soon as practical, ~~but no later than 96 hours.~~
- 7.2. Firearms not processed in IBIS/NIBIN.
 - 7.2.1. Firearms not listed above that require fingerprinting and/or photographing shall be delivered directly to PED or FED.
 - 7.2.2. Members shall deliver any firearm not requiring IBIS/NIBIN or FED processing directly to PED or any satellite property room locker.
 - 7.2.3. Members shall ensure that firearms are unloaded and rendered safe for handling. If a firearm cannot be made safe by unloading and securing the action/cylinder

open, or if there is any question as to whether the firearm is loaded, the member shall attach a red “Unsafe Firearm” tag to both the firearm and to the outside of the locker in which the firearm is placed.

7.2.4. Members shall refer to the PED Officer Packaging Manual for instructions on packaging firearms and ammunition.

7.3. Surrendered firearms.

7.3.1. PPB members should be aware that members of the public may surrender a dangerous or deadly weapon for destruction to any on-duty sworn member at any precinct. Members shall conduct the following at the time of surrender:

7.3.1.1. Members must obtain the name and address of the owner or the person surrendering the weapon, as well as pertinent information related to the weapon (i.e., serial number, make, model, caliber, importer and country of origin) from the person surrendering the weapon.

7.3.1.2. Members must ensure a declaration from the individual is annotated on a property receipt. The declaration should include the statement: “I, [person surrendering property], voluntarily surrender this [weapon name] for destruction with the understanding that I knowingly forfeit any claim to the weapon.”

7.3.1.3. Members shall provide the person surrendering the weapon a signed copy of the property receipt.

7.3.1.4. If an individual chooses to surrender a weapon anonymously, the member shall still accept the weapon(s) and provide or attempt to provide a receipt.

7.3.1.4.1. Members shall deliver the surrendered firearm(s) directly to the GTFIBIS/NIBIN evidence lockers for IBIS/NIBIN processing if the firearm(s) meets eligibility listed in Section 7.1.1.1 ~~or 7.1.1.2.~~

8. Processing Weapons Other than Firearms.

8.1. Members shall package these weapons in accordance with the PED Officer Packaging Manual.

8.2. Members shall refer to Section 7 for information regarding surrendering weapons for destruction.

9. Processing Alcohol.

9.1. Members who take possession of alcohol are encouraged to photograph and then release or dispose of the property unless it contains forensic evidence. Members shall upload photographs to DIMS in accordance with Directive 640.02, Photography and Digital Imaging.

10. Processing Hazardous Items.

10.1. With the exception of evidence samples collected by DVDNOC at scenes of illegal drug labs, hazardous or noxious materials shall not be accepted by or stored in any PED facility due to the health risk posed by exposure. Members shall refer to Directive 640.13, Drug Lab Procedure, for additional guidelines. Members encountering hazardous or noxious materials that are not part of an illegal drug lab

shall contact BOEC, which shall then notify the Portland Fire Bureau Hazardous Materials Team (HazMat).

- 10.2. ~~DVD~~NOC personnel shall package lab samples in accordance with the PED Officer Packaging Manual.
 - 10.2.1. ~~DVD~~NOC personnel shall issue PED receipts and complete an FSR Form for all samples taken. Members shall deliver samples and forms to the crime lab during business hours or to PED during non-business hours using the call-out procedure.
 - 10.2.2. Members shall deliver contaminated firearms (e.g., exposed to drug lab chemicals) from scenes of illegal drugs labs to ~~a~~ PED ~~facility~~ or any satellite property room. All other contaminated articles, including paperwork, shall not be accepted or stored at a PED facility.
 - 10.2.3. Members shall not transport contaminated articles, excluding contaminated firearms, from scenes of illegal drug labs in any Bureau vehicle.
 - 10.2.4. Contaminated firearms shall not be available for further investigation or viewing purposes unless handled by ~~DVD~~NOC personnel wearing the same level, or better, of protective gear that was worn during the initial processing.
- 10.3. Items that have been contaminated with blood or other body fluids are considered bio-hazardous; members shall package these items in accordance with the PED Officer Packaging Manual.
 - 10.3.1. Members must deliver items that are wet with blood or other body fluids directly to PED during business hours or to the biohazard shed at the Rivergate Vehicle Storage Facility (RVS) after business hours. Members shall leave the pink copy of the PED receipt at RVS. Members shall not leave bio-hazardous items at any other property/evidence facility.
 - 10.3.2. Members may deliver items contaminated with blood or other body fluids that are dry to PED or any satellite property room locker.
- 10.4. Syringes present a serious health risk and must be handled with extreme care; members shall discard all syringes except those that are essential for prosecution purposes.
 - 10.4.1. Members shall discard unnecessary syringes into approved sharps containers only.
 - 10.4.2. Members shall not deliver syringes or parts of syringes to the crime lab unless authorized by the Deputy District Attorney (DDA) in advance.
 - 10.4.3. Members shall place syringes being submitted as evidence to the crime lab or PED inside plastic syringe holders. The crime lab and PED shall only accept syringes packaged in plastic syringe holders.
- 10.5. Explosives, bomb-making materials, ammunition .50 caliber or larger and commercial size fireworks shall not be accepted or stored at any PED facility. Members shall refer to DIR ~~7400740~~.00, Explosive Device Incidents and Explosive Device Unit (EDU), for additional guidance.
- 10.6. Illegal fireworks that fill less than a regular-sized paper grocery sack may be ~~placed in any PED facility~~ delivered to PED or any satellite property room.

- 10.6.1. Members shall place larger quantities in the orange wooden box adjacent to the bomb room on L-1 in the Justice Center. If that box is full, members shall contact EDU via the Dispatch Coordinator (DC) for disposition instructions. Members shall forward the pink copy of the PED receipt to PED.
- 10.6.2. Members may place less than a dozen M-80 size devices in any property/evidence facility. Larger quantities and any device more powerful require special handling. Members must contact EDU via the DC for disposition instructions.
- 10.6.3. Improvised, homemade, or modified fireworks shall not be accepted or stored in any property/evidence facility. Members must contact EDU via the DC for disposition instructions.

10.7. Gasoline shall not be accepted or stored at any property/evidence facility.

10.7.1. Members must ensure fuel containers and small engines with gas tanks (e.g., lawn mowers, chain saws, generators) are emptied prior to delivery. Members may utilize equipment located at RVS to remove fuel from such items.

10.7.2. Members shall deliver fuel containers and small engines with empty gas tanks to PED or any satellite property/evidence facility room. Members shall not leave these items at RVS.

10.7.3. If the fuel is required as evidence, members shall place a sample of it into a sealed vial or jar and process it for the crime lab using a separate PED receipt and FSR Form. The remainder of the fuel shall be disposed of as outlined above.

10.8. Propane tanks and canisters may be ~~left at~~ delivered to PED or any satellite property/evidence facility room.

10.9. Members shall package deployed Conducted Electrical Weapon (CEW) probes in accordance with the PED Officer Packaging Manual.

11. Processing Sexual Assault Evidence.

~~11.1. Members shall not leave items other than the Sexual Assault Evidence Kit and the victim's undergarments and/or pantyhose in the OHSU locker. Members shall refer to Directive 640.20, Sexual Assault Investigations, for additional guidelines.~~

~~11.2.11.1.~~ Members shall refer to the PED Officer Packaging Manual for specific instructions on documenting and packaging sexual assault evidence.

11.2. Members shall refer to Directive 0640.20, Sexual Assault Investigations, for additional guidelines.

12. Processing Found Property.

12.1. Members are encouraged to determine ownership of found property and return it, if time and circumstances permit. Identified owners' names shall be written on the PED receipt. Members who return property directly to the owner shall mark the PED receipt with the words "Returned to Owner" and have the recipient sign the face of the receipt. Members shall forward the pink copy to PED.

- 12.2. Members should inform individuals who want to make a finder's claim for found property to contact PED within five days.
- 12.3. Members shall write "Finder's Claim" boldly across the face of the PED receipt to avoid unintentional disposal of the property.
- 12.4. Members ~~may~~ shall deliver found property to PED or any satellite property/evidence facility, room unless the property contains noxious or hazardous materials.
- 12.5. Members who come across a firearm that meets the eligibility listed in 7.1.1.1. ~~or 7.1.1.2.~~ shall deliver it directly to the GTFIBIS/NIBIN evidence lockers for IBIS/NIBIN processing. Firearms that do not meet eligibility shall be delivered to PED or FED.

13. Processing Safekeeping Property.

- 13.1. When property is obtained for safekeeping purposes, the member shall leave the yellow copy of the PED receipt with the person from whom the property was obtained.
- 13.2. Members shall inform individuals who want to turn in weapons for safekeeping that policy does not permit PED to be used as a storage facility and weapons may be destroyed after 60 days if they are not retrieved. Members may suggest to individuals the use of commercially-available storage lockers.
- 13.3. Safekeeping property shall be released to the named owner upon demand after the property has been received at PED, which is usually one working day after turn-in.
- 13.4. Members may deliver safekeeping property to PED or any satellite property/evidence facility, room unless the property contains noxious or hazardous materials.

14. Processing Prisoner's Property.

- 14.1. Members must provide the yellow copy of the PED receipt to the arrested subject prior to incarceration, as this is the only notification the arrested subject shall receive. Members should inform an arrested subject that the receipt must be maintained on their person or with their personal property kept at the jail, as appropriate. Members shall, when practical, advise arrested subjects that their personal property must be claimed within 60 days or it shall be disposed. Members shall document the delivery or provision of the yellow copy in the appropriate report.
- 14.2. Members may deliver a prisoner's property to PED or any satellite property/evidence facility room. The prisoner's property shall be released to the named defendant/subject upon demand after the property has been received at PED, which is usually one working day after turn-in.

15. Processing ~~Interview Recordings~~ Digital Evidence.

~~15.1. Investigators electronically record interviews for a variety of purposes as required by Oregon Law, in situations consistent with division or bureau policies, or at the discretion of the investigator.~~

15.1. In situations where interviews are electronically recorded Members obtain digital evidence in a variety of ways. Some digital evidence is created by members (e.g., a member takes a photo on their Bureau-issued smart phone or records an interview using an electronic device). Other digital evidence is collected (e.g., a victim sends video surveillance or a photo to a member). Digital evidence may also exist on a seized electronic device (e.g., a laptop seized from a suspect).

15.2. Members shall store digital evidence according to their specific RU's SOPs.

15.3. If no SOP exists, then digital evidence shall be stored in the DIMS system according to DIR 0640.02, Photography and Digital Imaging.

~~15.2.~~15.4. If no SOP exists and the digital evidence is not DIMS compatible, investigators are required to shall make an original copy of the interview evidence as soon as practicable on an external media (e.g., CD disc, thumb drive). The investigators shall submit this original copy with a property receipt to PED.

~~15.2.1.~~15.4.1. PED shall retain the original copy and shall use it to make additional copies, as necessary.

~~15.2.2.~~15.4.2. To preserve chain of custody, any time PED makes a copy of an electronic record, the PED staff member making the copy shall note on the property evidence tag the date the original media is opened and identify themselves as the person opening same, and shall again note their identity and the date the original media is resealed in the original packaging when the copy is complete.

~~15.2.3.~~ PED may purge the original ~~copy of the interview pursuant to PED SOPs and with the permission of the investigator, the District Attorney's Office or a court of law.~~

16. Processing Digital Evidence.

~~16.1. Digital evidence on an electronic device (e.g., laptops, smart devices) shall be processed by the Detectives Division located in the Justice Center. Once the appropriate digital evidence is extracted from the device and copied onto an external media, a member shall forward a copy with a property receipt to PED.~~

~~16.1.1.~~15.4.3. PED may purge the copy pursuant to PED SOPs and with the permission of the investigator, the District Attorney's Office, or a court of law.

17.16. Checking Out Evidence.

~~17.1.~~16.1. When feasible, members intending to check out evidence should inform PED in advance to avoid delays.

~~17.2.~~16.2. Members shall maintain the chain of custody by signing for the items from PED.

~~17.3.16.3.~~ If the possibility exists that a member may turn over custody of the evidence to the court, a prosecutor, another agency, or another member, PED shall provide the member with an Evidence Transfer Form to be used to maintain the chain of custody. The member shall obtain the signature of the person to whom custody was relinquished and ensure that the signed copy is returned to PED. Members must return either a signed Evidence Transfer Form or the checked-out evidence within 10 business days.

~~17.4.16.4.~~ Upon the check-in of evidence, PED shall maintain the chain of custody by obtaining the delivering member's signature. If the member returns the evidence via a satellite property room, the member shall sign and date the Evidence Transfer Form indicating when and in which locker the evidence was left.

~~18.17.~~ **Transferring Evidence.**

~~18.1.17.1.~~ Members may request that evidence be transferred to the crime lab for analysis by submitting a completed FSR Form to PED.

~~18.2.17.2.~~ Members may request that evidence be transferred to FED for processing by submitting a completed Forensics Processing Request Form to PED.

~~18.3.17.3.~~ Any other requests for transfer of evidence must be in writing and signed by a sworn member.

~~19.18.~~ **Releasing Property and Evidence.**

~~19.1.18.1.~~ It is the responsibility of PED to establish the owner's identity prior to releasing any property or evidence. PED may release the following property upon demand, generally within one business day after turn-in, after they have received it: found property belonging to an undisputed owner, safekeeping property for a named owner, and prisoner property for a named defendant/subject.

~~19.2.18.2.~~ In cases where ownership is unknown or in dispute, PED shall refer inquiring persons to the delivering member to obtain written authorization to claim the property. If a member is unable to determine ownership due to conflicting claims, the member shall contact the City Attorney's Office for instructions.

~~19.3.18.3.~~ Evidence shall be released to an owner when the item(s) is no longer needed as evidence and has been released by a sworn member, a court, or the ~~DA's~~ Office-appropriate prosecutor. Sworn members authorizing the release of evidence shall notify PED in writing.

~~19.4.18.4.~~ When address information is available, PED shall attempt to notify property owners in writing of the availability of found, safekeeping, and releasable evidence items. Unclaimed property shall be eligible for disposal after 60 days.

~~19.5.18.5.~~ Firearms and restricted weapons shall be released in accordance with the above procedures (Section 19.1. through 19.4.) and PED SOPs 4 and 8.

~~19.6.~~18.6. Money may be released by PED as cash. Money that has already been deposited shall be released via check.

~~19.7.~~18.7. Although the Multnomah County District Attorney's Office (MCDA) encourages the pretrial release of property to victims whenever possible, members should consult with the appropriate ~~DA~~prosecutor prior to releasing property that may be evidence or authorizing PED to release property that may be evidence.

~~20.19.~~ **Disposition of Property and Evidence.**

~~20.1.~~19.1. PED shall dispose of unclaimed, found, safekeeping and prisoner's property after 60 days of storage or after 60 days from the date of notice to the owner.

~~20.2.~~19.2. ~~Unclaimed~~ Evidence shall be authorized for release by at the delivering or investigating sworn member, a court, or the ~~DA's Office~~appropriate prosecutor. Evidence items that are not retrieved within 60 days from the date of notice to the owner are subject to disposal. If the owner is unknown or cannot be located, or the items are contraband, the items shall be eligible for immediate disposal after PED receives authorization from at the delivering or investigating sworn member, a court, or the DA's Office.

19.2.1. If the delivering or investigating sworn member has separated from the Bureau, PED will assign the authority to release evidence to the delivering or investigating member's RU. RU managers are responsible for assigning the authority to release evidence to any member in their RU, sworn or non-sworn, who has received appropriate training in the disposition of property and evidence.

~~20.3.~~19.3. PED shall dispose of firearms and restricted weapons that are not claimed. All unclaimed ammunition shall be removed from PED and destroyed by EDU.

~~20.3.1.~~19.3.1. Firearms suitable for use by the Bureau may be transferred to the Training Division armory inventory with the approval of the Chief of Police.

~~20.3.2.~~19.3.2. When Bureau-owned firearms no longer meet Bureau requirements or serve Bureau purposes, the Training Division may document the firearms on an inventory sheet, including serial numbers, and turn them over to PED for disposal.

~~20.3.3.~~19.3.3. Officially-recognized historical societies may apply for and, subject to approval by the Chief of Police and the City Council, arrange for the transfer of weapons with historical significance.

~~20.4.~~19.4. PED shall send Officer Disposition Reports and Trace forms to members for evaluation of further retention and disposition of evidence either electronically or through inter-office mail. Generally, members should notify PED to dispose of evidence whenever a member determines that it is no longer needed as evidence; however, upon receipt of an Officer Disposition Report, members shall indicate the appropriate disposition of the evidence and return the form or electronic notification to PED within 30 days.

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, January 09, 2021 7:28:30 AM
Last Modified: Saturday, January 09, 2021 7:30:02 AM
Time Spent: 00:01:31

Page 1

Q1

Please provide feedback for this directive

6.1 uses weak language, "when feasible" Please be specific about the exact circumstances under which a simple photograph of a pile of cash cannot be taken

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **M. Skinner**

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, January 09, 2021 7:32:34 AM
Last Modified: Saturday, January 09, 2021 7:34:40 AM
Time Spent: 00:02:05

Page 1

Q1

Please provide feedback for this directive

6.7 seized funds ought to be retained until the case is fully closed, including all appeals, and returned if seizure is found to be not criminally involved

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **M. Skinner**

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, January 09, 2021 7:57:08 AM
Last Modified: Saturday, January 09, 2021 7:58:10 AM
Time Spent: 00:01:02

Page 1

Q1

Please provide feedback for this directive

Section 7 refers to the GVRT, which we were told is no longer in effect. Please clarify to public if this is a misunderstanding

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **M. Skinner**

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, January 09, 2021 8:00:14 AM
Last Modified: Saturday, January 09, 2021 8:01:51 AM
Time Spent: 00:01:36

Page 1

Q1

Please provide feedback for this directive

7.3 surrendered firearms that can be resold or otherwise add value to PPB ought to be notated as donations on the person's receipt for tax purposes

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **M. Skinner**

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, January 09, 2021 8:02:55 AM
Last Modified: Saturday, January 09, 2021 8:04:17 AM
Time Spent: 00:01:22

Page 1

Q1

Please provide feedback for this directive

Section 9 uses weak language “members are encouraged to”
Please specify usual circumstances where photo is or is not required

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **M. Skinner**

#6

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, January 09, 2021 8:05:40 AM
Last Modified: Saturday, January 09, 2021 8:06:37 AM
Time Spent: 00:00:57

Page 1

Q1

Please provide feedback for this directive

10.2.4 may not age well due the severity of specificity. Please include the ability for protective gear technology to advance

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **M. Skinner**

#7

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, January 09, 2021 8:08:56 AM
Last Modified: Saturday, January 09, 2021 8:10:07 AM
Time Spent: 00:01:11

Page 1

Q1

Please provide feedback for this directive

10.6 has so many problems it seems clear that the law itself is flawed. I know PPB can't change that, but want it on record here

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **M. Skinner**

#8

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, January 13, 2021 12:22:28 AM
Last Modified: Wednesday, January 13, 2021 12:28:51 AM
Time Spent: 00:06:22

Page 1

Q1

Please provide feedback for this directive

1.2.9.1 - required firearm documentation - importer and country of origin - this should be "when possible",

1.3.2 - so, if lost property is found on the street or sidewalk, officers "shall" leave a yellow copy of the property receipt where it was found? it doesn't make sense to leave a piece of paper behind in a lot of circumstances.

3.2 - mentions delivering casing to GTF - GTF / GVRT disbanded so this should be addressed

7.1.1 - another "deliver directly to GTF"

7.1.2.1 - DNA swabbing for guns - no GET / GVRT ... need to re-work this

7.1.2.2 - More mentioning of GVRT

7.1.1 - More GTF amendments needed

Section 10 - DVD is being disbanded, will have to modify that throughout this section

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, February 21, 2021 11:00:16 AM
Last Modified: Sunday, February 21, 2021 11:16:44 AM
Time Spent: 00:16:27

Page 1

Q1

Please provide feedback for this directive

- 1.) Regarding 1.3.3.4, it seems unnecessary to have to forward all copies of voided receipts to PED. By doing so you are wasting time creating records of transactions that (for whatever reason) never occurred.
 - 2.) 2.1 reads "...complete and attach a property tax..." it should read "tag", not "tax". This error was not in the red-lined copy.
 - 3.) Regarding 7.1.2.2, fingerprints are made of sweat and oil and are therefore extremely fragile. If there is reason to believe the suspect's fingerprints are on a gun, then the handling that occurs during "a careful test-fire" is likely to destroy that evidence. Firearms that must be processed for fingerprints by FED should be processed prior to any handling once the weapon has been made safe, and those making the weapon safe should make every reasonable effort to ensure that the smooth surfaces of the firearm are not handled while doing so.
-

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)
