These directives are intended to provide general direction and guidance for the submission and packaging of property and evidence for the El Cerrito Police Department.
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The El Cerrito Police Department is responsible for establishing policies and procedures which serve to insure property seized from the public is safely, legally and efficiently processed, secured and maintained for admissibility in court, until returned to the owner or otherwise disposed of in accordance with state law. The Property & Evidence Unit exists to process, store and dispose of property, which may constitute evidence in criminal investigations and prosecutions. Property related solely to civil suits or other actions in civil court should not be stored in the property-evidence storage facilities of the Police Department.

Guidelines established in this manual are intended to insure that the safety of the staff and the public are considered first.

A professional property management system depends on the establishment of strict procedures for the staff on property handling, security and disposition. Only then can the public and the courts rely, with confidence, on the property-evidence function in the El Cerrito Police Department. The end results of mismanagement of this function are unsuccessful prosecution of criminal cases and the loss of public confidence in the Police Department and our staff.

This manual is intended to serve as a guide for members of the Police Department and all users of the Police Department Property & Evidence Unit. This manual is considered to be a living document. As legislative changes occur with respect to evidence handling, these procedures will change as well. Other changes may be necessary at times to reflect changes in policies of the Police Department or in physical locations of storage facilities. As with all other policies, if individual Police Department members identify an error in this manual, they shall bring it to the attention of their supervisor who will follow-up with the Administrative Lieutenant to ensure the urgency and manner in which the change will be researched and implemented.

The general policy and expectation of the Police Department is that property-evidence seized by members be submitted to the Property & Evidence Unit with completed reports prior to the end of the member’s shift. Each exception to this policy requires the prior review and authorization of the member’s shift commander.

Paul Keith
Chief of Police
1. **PROPERTY LABEL/COMPUTER FORMAT**...the label will accompany all evidence/property submitted by ECDP personnel. This label is printed through the label printer located in the Property Room and generated through the Mark43 RMS Program. Property Label placement on evidence/property can be found in section 3 under “packaging”, below.

- This form (label) is to be completed by the Booking Officer on every item booked into the Property Room.
- This form must accompany any and all property being booked.
- This form must be completed with all applicable information (ie. Case number, suspect name, owner name, and complete description of each item).
- For items too large to be placed into a locker, place the property on the floor, out of the way of traffic.
- **In the event there is a system failure** or outage for Mark43, Officers will provide a property sheet documenting items being stored and attach that form to the outside of the locker where the items are secured. The “holdover” forms are found on the upper locker of the blue Temporary Transition Lockers.

2. **WARNING STICKERS**

- Shall be applied to items requiring special handling or instruction:
  - Firearms shall have the green sticker indicating the weapon is unloaded
  - Any item containing bodily fluids wet/dry shall have a red biohazard sticker affixed to the exterior bag. A red biohazard sticker should be utilized for any item an officer deems a concern to other individuals handling evidence/property.

3. **PACKAGING**

- **All evidence/property shall be processed and packaged in the Property Room.** This shall be done to ensure the safety and integrity of all items. This will also guarantee the security and sanitary concerns to department personnel.
- The Booking Officer shall complete the pre-stamped evidence chain of custody tag or label on the property being booked, including the case number, date, initials, item number, property type, and brief description.
- The booking officer will then attach the Mark43 produced property label to the packaging, as near to the chain of custody label as practical (see pg. 26 for example). **Exceptions to this requirement are for refrigerated items only.** Refrigerated items will have the evidence label attached to the metal clip located on the front door of the refrigerator.
- Paper evidence tags or found/safekeeping tags shall be applied to large items of property. (ie. Bikes, construction materials, tools, and backpacks)
- **All items of property should be packaged in its own individual package.** This is due to minimize cross contamination, preserve items of evidence, and allow easy separation for Detective and District Attorney needs when the item(s) are pulled for review.
- As a general rule, clothing can stay with the suspect. Only take clothing if there is apparent evidentiary value. If for some reason the clothing is part of a description, take a photograph and include the photo in your report.

***ALL EVIDENCE MUST BE SEALED WITH EVIDENCE TAPE. YOU MUST SIGN AND DATE THE SEAL. THIS INCLUDES MONEY ENVELOPES AND ALL ITEMS HEAT SEALED ***

***A SIGNED COPY OF THE RECEIPT MUST BE PROVIDED TO THE OWNER OF THE ITEM(S).***
A. The *Property and Evidence Manual* is a complete outline of all procedures and policies regarding the booking of evidence.

B. Right of Refusal

1. Any property or evidence received by the Property Room that is not packaged as specified in this manual may be returned to the submitting officer for correction.

2. Property Room personnel shall send an email to the officer notifying them of the need for correction. Any items returned for correction will be stored in the temporary transition locker located in the property room. Keys to the locker are maintained in the Watch Commanders office.

3. If the officer does not respond to the first notice after their first shift back to work, a second notice email shall be prepared noting the lack of response. The second notice shall also be forwarded to the Officer’s Sergeant.

**STORAGE LOCATIONS:**

No explosives, incendiary devices, caustic materials, or any other chemicals of dangerous nature are to be stored in the Evidence Room. Property Room personnel shall immediately transfer, or cause to be transferred, all such items to a designated location. It is best to preserve and document evidence as soon after collection as possible. This will help maintain the integrity of the evidence. Evidence of great value should NEVER be “placed on exhibit” for all to view, but always collected, preserved, and handled as swiftly and efficiently as possible, pertinent to time demands and other tasks.

**BOOKING IN PROPERTY & EVIDENCE:**

It is policy of the El Cerrito Police Department to book evidence into the property room as soon after seizure as possible. Property is not to be secured in personal lockers, files, or desks. Maintaining a piece of evidence in a case file may be acceptable under certain circumstances. However, the evidence must first be processed through the property system and then signed out of the property room—**NO EXCEPTIONS.**
TEMPORARY STORAGE OF EVIDENCE

A. To establish and maintain a short, secure chain of evidence, all evidence must be properly marked and stored.

1. Small items are to be placed into the “Small Item” drop slot locker. 

***NO MAGNETS***

2. **Large items that will not fit** in the evidence lockers shall be placed on the floor in the Property Room. Affix the necessary tags or property receipts to each item.

3. Firearms must be unloaded before being tagged, boxed, and placed in the appropriate lockers. A green “UNLOADED” sticker shall be placed on the outside of the box with the officer’s name and date. Officers are to verify the make/model and serial number of the firearm and confirm the serial number with a witnessing officer.

4. Blood/Urine Samples are to be placed in the refrigerator located in the Property Room. The Mark43 produced evidence/property label will then be attached to the metal clip on the outside door of the refrigerator. DO NOT ATTACH LABEL TO THE EVIDENCE...

5. Blood Evidence shall be dried in the Blood Drying Room located in the Jail. Utilize the padded cell room or in the case of excess items, the jail shower. Always separate bloody items that are from different sources. The jail cell doors must be closed, an evidence sticker to the door and door frame shall be utilized. The officer shall book these item(s) as soon as possible (usually takes approximately 24 hours to dry). When the items are dry, the Officer/Detective must retrieve and book the items or make arrangements with Property & Evidence Specialist.

6. Sexual Assault Kits are to be placed in the refrigerator located in the Property Room. The Mark 43 produced evidence/property label will then be clipped to the metal clip attached to the outside door of the refrigerator. DO NOT ATTACH LABEL TO THE EVIDENCE...
If the offense is a misdemeanor or felony, you should photograph the container/bottle/can; document your findings in your report.

**EXCEPTIONS:** For Crimes Against Persons only, if the bottle (glass or plastic) is **sealed** it may be booked into evidence. If the bottle is open, tightly seal the bottle. If you do not have the lid, place a sample of the liquid into a plastic jar and tightly seal. Book the empty bottle/can into plastic packaging.

KEG(S): Attempt to locate the owner of the keg and do a photo release. If no owner is located, please photograph the keg(s) and book the photo into evidence. Then mark the keg(s) to be destroyed on your property form.

**BOOKING PROCEDURES:**

***Always choose the proper sized packaging for the property being booked***

The Booking Officer shall complete the pre-stamped chain of custody tag or label on the property being booked, including case number, date, name, item number, crime type and brief description.

The Booking Officer shall complete the required property description in Mark 43 and narrate a clear description of all property being processed.

Place the evidence into the packaging, if the item is glass, then secure the item prior to placing it the packaging.

Seal the packaging with evidence tape, initial and date.

Place the evidence into an evidence locker and attach the printed Mark43 evidence/property label to the item.

Close the locker and make sure the locker is secure.
1. Do not mark a bullet on the nose or sides for identification purposes.

2. If the bullet has value as trace evidence, wrap the bullet in a soft cloth or tissue, and place it in a small evidence envelope.
   a) Applies to cases where the weapon was used in the commission of a crime

3. Seal the container and mark for identification.

4. Shell casings may be marked on the inside if large enough.

5. Do not attempt to mark a live cartridge with a metal etching tool. Use a soft instrument, such as a sharpie or felt-tip pen. Shell casings may be marked on the inside if large enough.

6. If a cartridge or shell casing is to be examined for the ejection marks of a particular weapon, package and seal the item, marking the package for identification. Do not mark the cartridge or casing itself.

7. If bullets or casings are found in differing locations, number each item separately, (for example: Item #1, Item #2...etc) and secure separately in bags or containers.

8. Secure all separate casing envelopes (together) in one large container.

9. No lab paperwork is necessary when submitting casings if submitted in the envelope shown below.

Place a piece of evidence tape across the rear seal and initial
When a bicycle is being booked regardless of status (evidence, found property or safekeeping) all pertinent information about that bicycle shall be noted while entering the items in MK43. That includes:

1. serial number
2. color
3. make
4. model
5. any additional unique features as well as owner applied numbers

A serial number must be indicated, if found, to enter the bicycle into the CLETs system.

A blue Found/Safekeeping tag or Evidence tag shall be affixed to the handle bars of the bicycle. And the Mark43 produced evidence/property label will be STAPLED to the blue property tag.
*Currency shall be booked separately from all other items of evidence*

All currency will be deposited as soon as possible. If there is a valid reason to keep the currency for evidence, it must be clearly stated at the time of booking. (IE: currency taken in a homicide that contains blood). Money marked “NOT FOR DEPOSIT” shall be stored together pending review by supervisor to determine if the money itself has evidentiary value.

The Booking Officer shall complete the currency poly bag or label on the property being booked, including the case number, date, initials, item number, property type, and brief description. The Booking Officer shall complete the Property Form with a clear description of all property being processed. Any amount of currency must be counted by a second individual and initialed.

Complete the pre-printed currency bag with all the required information including denomination of each coin/bill being booked. Seal the packaging with evidence tape, initial, and date. Place the evidence into the narcotics/currency mail drop box; attach the Property Form on the exterior of the box.

If the deposit exceeds $10,000, the Watch Commander will immediately notify the Administrative Services Division Lieutenant or the Property and Evidence Specialist.
The CD/DVD sleeve, when possible, should be utilized when booking this item. Place the evidence tape as far as possible to the top of the page to effectively utilize the chain of custody. A piece of evidence tape shall be used to seal the rear of the CD/DVD sleeve and initialed by the booking officer.

Regardless if one or multiple CD/DVD’s are being booked, each CD/DVD should be booked separate. This is done primarily because of DA requests for individual disks.
o Package clothing/shoes separately carefully to avoid cross-contamination.

o All clothing **MUST** be dry prior to packaging. If the clothing is saturated with blood or other liquid, the Booking Officer must place item(s) in the drying cell located in the jail. Allow 24hrs to dry, see below example.

o **Do not** place clothing in the refrigerator. If the clothing is to be sent for lab analysis, room temperature is sufficient.

o If the clothing contains dry blood, make sure to place a “Biohazard” sticker on the package.

o Each bag should have a separate item tag for easy identification in court.

o **The Aries lab form** must detail where the item was found.

o Secure Item Tags to the outside of each individual container to prevent contamination of evidence.

o If a number of items are packaged separately, make sure all of the smaller containers are placed together into one large box or bag.
COMPUTER EQUIPMENT
When collecting computer equipment from the scene, do not manually alter the on/off switch. Simply unplug the computer in the state it resides. This will allow for processing of the equipment at a later date. Note: some computers are set to clear data if certain processes are not followed, or a normal shutdown occurs. If the equipment is simply unplugged, the data will be maintained in the form it was at the time of seizure. Place a piece of tape over the power switch to secure it in the position it was at the time of seizure.

The Booking Officer shall complete the pre-stamped evidence tag or label on the property being booked, including the case number, item number, date of collection, time of collection, type of offense and description of item.

The Booking Officer shall complete the Property Form with a clear description of all property being processed. This includes running the serial number of the property being booked.

***Always choose the proper sized packaging for the property being booked***

Computers: If you haven't received specific training in searching a computer, don’t jeopardize your investigation by searching the computer yourself. It is a dangerous precedent for officers to take it upon themselves to conduct a search of a computer system. This will not only jeopardize your investigation but could ultimately have an effect on your credibility in Court. Remember, "If you don't have the training, proper tools or expertise, don't do it."
No consumable goods will be accepted. EXCEPTIONS: If the consumable good was used in the commission of the crime ie: poisoning, take a sample of the item at the scene.

The Booking Officer shall complete the evidence label on the property being booked, including the case number, item number, date of collection, time of collection, type of offense and description of item.

The Booking Officer shall complete the entry into MK43 with a clear description of all property being processed.

Make sure to seal the sample with evidence tape. Sign and date the seal.

Place the sample into the refrigerator located in the Property Room.
1. Items that are contaminated with biological matter SHALL be dried prior to submission. Items shall be dried in either the jail padded room or the jail shower. Officers shall cover the floor with paper if necessary. If an officer goes off shift prior to the clothing drying, the officer shall notify the Watch Commander in person and notify the Property & Evidence Specialist via email if after shift hours.

2. Hang a criminalistics request form on the outside the jail door along with the Forensic Services Division General Examination Request (ARIES). Also place a piece of evidence tape across the door seal to preserve the chain of custody.

3. Once an item is COMPLETELY DRY, it shall be placed into an appropriately sized PAPER bag and sealed with evidence tape. A red Biohazard sticker shall be placed on the exterior of each bag prior to booking. EACH ITEM REQUIRING COLD STORAGE SHALL BE PACKAGED SEPARATELY TO AVOID CROSS-CONTAMINATION. Do not place wet evidence in a bag or in plastic of any kind.

4. Items requiring cold storage shall be placed into the Property Room refrigerator.
All drugs shall be packaged in a narcotics envelope, which includes items booked for destruction. Prior to placing the drug/narcotic into the evidence envelope, a total weight should be taken and indicated on the outside of the envelope as well as indicated in your report. On the rear of the envelope is a box for any specific instructions for the crime lab or the Property & Evidence Specialist. A piece of evidence tape shall be placed over the sealing flap to cover the entire seal and sides of the envelope. Officers shall initial the evidence tape.

**ALL POSSIBLE FENTANYL RELATED CASES WILL HAVE A BRIGHT PINK FENTANYL CAUTION STICKER ATTACHED TO THE NARCOTICS ENVELOPE...SEE BELOW.**

One narcotic envelope should be used per suspect – all narcotics shall be combined in the same envelope, even if different types are present (for example: heroin and cocaine). **Do not package narcotics and paraphernalia together.** If possible separate the drugs from their container, unless specifically indicated as to why they need to stay as one unit.

Over the counter medications in prescription bottles and NOT involved in any criminal investigation or suspicious death, do not need to be placed in a narcotics envelope.
For multiple packages, take photographs of evidence in original packaging. Remove items and weigh contents. Weights should be included in your reports as well as documented on the exterior of the narcotics package. Each package should be individually marked for identification purposes and also documented where each package was located, for court purposes.

Narcotics packages shall be placed into the Narcotics/Cash mailbox. Combine original packages together in one evidence bag, if possible, and book into a locker.
Due to the lack of secure storage for flammable items, officers are encouraged to take a photograph of the items with evidentiary value vs booking the evidence into property. If at all possible, turn over flammable items to the El Cerrito Fire Department to properly dispose of the items.

The Booking Officer shall complete a pre-stamped evidence label (chain of custody label) on the property being booked including case number, date, initials, item number, property type, and brief description.

Book all lighters, torches, lighter fluid, and aerosol cans in plastic packaging. Place an evidence label on the package. Heat seal the plastic package. Place evidence tape, initial and date. All other flammables such as gas cans and lawnmowers, place an evidence label on the evidence.

All flammable evidence shall be placed in the yellow flammable locker (shown below) located in the property room.

If necessary, notify the Property & Evidence Specialist who will assist you in placing the item into the bicycle locker located on the Corporation Yard.
**FOUND PROPERTY** is any property of no evidentiary value whatsoever and whose rightful owner is not known to the finder or to the Department. Officers shall make all reasonable attempts to locate the owner of found property. If an item of identification is located, a card shall be sent to the last known address of the individual indicating how they can reclaim their property. The secondary copy of the card shall accompany the Found Property when booked. Found property is maintained in the Evidence Room for 90 days.

**SAFEKEEPING** is any property of no evidentiary value surrendered to an employee of this Department for temporary custody. Officers shall provide the owner of items a card indicating how to reclaim their property. Safekeeping property is maintained in the Evidence Room for 60 days.

Inventories must be completed on any and all Found Property and Safe Keeping items. This practice will ensure officers and the Department will not face any adverse accusations regarding personal property loss. All perceived precious metals and currency must be documented. ALL MONIES, ( REGARDLESS OF THE AMOUNT) TAKEN AS FOUND PROPERTY OR SAFEKEEPING MUST BE PLACED INTO A CURRENCY ENVELOPE. A change envelope may be used if only change is being held. Money must be verified by a second officer and or Property Specialist and initialed on the evidence bag.

When a bicycle is being booked as Found Property or as Safekeeping, as much information about that bicycle shall be noted in the officers report summary. That includes serial number, color, make, model and any additional unique features. A serial number must be indicated, if found, to enter the bicycle into the CLETs system.

California State law requires an officer to provide a receipt to the individual turning in property or the individual whose property we are providing safekeeping.
A zip tie shall be utilized to keep the action open. Position all handguns so the serial number side is visible. Place the gun into a handgun box but DO NOT seal the box, allowing for the Property & Evidence Specialist the ability to visually check the weapon. A green UNLOADED sticker shall be placed on the exterior of the box. Zip tie ends should be inside the box, thus allowing for the box to lay flat.

If the gun is taken into evidence and requires DNA analysis, the holes on the back and on the side of the box must be covered to avoid contamination and the potential to lose evidence in the gun box.

If latent prints are required, the CCC Criminalistics Lab Request form shall be completed to accompany the weapon to the lab.

LOADED HANGUNS WILL NOT BE ACCEPTED INTO EVIDENCE
The Booking Officer shall complete the pre-stamped evidence tag or label on the property being booked, including the case number, date, initials, item number, property type, and brief description.

The Booking Officer shall complete the Property Form with a clear description of all property being processed. Photographs shall be taken prior to placing jewelry items into an evidence bag. The photograph(s) shall become part of the report completed by the officer.

***Always choose the proper sized packaging for the property being booked***

Make sure to book valuable jewelry separately. Valuable jewelry should be individually booked. You **MUST** include a description of the jewelry. Describe the item as much as possible. Refrain from calling any object “gold” but refer to the item as “yellow or white metal”. Same rule should apply to stones in the items. Use words such as “yellow, clear, black stone”.

Costume jewelry can be packaged together as one item.

Heat seal the plastic packaging with evidence tape, initial, and date. Place the evidence into an evidence locker or drop box, along with the Property Receipt Form.

Close the locker. Make sure the locker is secure.
Sharp instruments should never be placed in a paper bag unless it is a folding blade. Utilize a knife box when possible, securing the sharp object with zip ties. The zip tie ends should be on the inside of the box whenever possible, to lay flat. Tools such as screwdrivers or tools sharpened to a point should also be packaged in this manner. Do not forget to place a biohazard label on the package if the weapon is possible tainted with body fluids.

For smaller knives or sharp object, another way to package this item is in a plastic tube with Styrofoam at the bottom. Both the knife boxes and plastic container can be located in the property room.

Regardless of evidentiary status, the exterior of the box or container shall be labeled with an evidence tag and secured with evidence tape for identity and safety reasons.
1. Large items that do not require special packaging (for printing or biological evidence or safety reasons) may be submitted by attaching a cardboard tag to the item.

2. Affix the proper cardboard tag and complete all requested information listed on the label.

3. If a tag cannot be attached to an item, the cardboard label may be affixed to the item in a location that will not decrease the value of the item. Complete the necessary booking sheet to accompany item.
Complete the front of the Latent Print envelope. Evidence tape must cover the entire rear seal along with the officer’s initials. Any latent print that is submitted in anything other than the envelope shown above will need to complete the CCC Criminalistic Request Form, shown below. All latent evidence will be dropped in the Latent Evidence Drop Box.
All syringes/glass pipes used in, or evidence in, a major crime (i.e. homicide, 261 PC, or 245 PC) shall be properly secured and booked into the Property Section.

Photograph the syringe/glass pipe (along with any liquid or dry contents). If Lab analysis is required, Place separately in plastic bag and seal with evidence tape (see page 12 for packaging). Do not co-mingle items or package with Drugs. If no Lab analysis is required, dispose of the syringe in the sharps disposal container (Located in booking area).

If the syringe/glass pipe is empty:
If no Lab analysis is required, dispose of the syringe/glass pipe in the sharps disposal container (Located in booking area).

If the syringe contains liquid:
Insert the tip of the syringe into a sealed liquid sample vial. Insert the contents into the vial. Cap the vial. Place the vial into a Narcotics envelope.

The Booking Officer shall complete the Narcotics envelope on the property being booked, including the case number, date, initials, item number, property type, and brief description.

Place all syringes in the sharps container after photographing them.

The Booking Officer shall complete the Property Form with a clear description of all property being processed.

***Always choose the proper sized packaging for the property being booked***

Seal the packaging with evidence tape, initial, and date.

Place the evidence into the narcotics/cash mailbox and place the Property Form on the exterior of the mailbox.
***Always choose the proper sized packaging for the property being booked***

When possible, utilize the “Small Item” drop slot to free up locker space. Due to limited space available in the Evidence Room, please package items as flat as possible.

When placing the Mark43 evidence/packaging label onto the item, place the label as near to the chain of custody label as practical. If there is no room, place the Mark43 property label on the area of the item that is most practical and obvious.
Digital Evidence
(Photographs, Audio Recordings, Surveillance Video, etc.)

***Excludes Body Worn Camera Footage***

BOOKING PROCEDURES:

- Digital Evidence will be downloaded into the ECPD Q drive.

- In the event original copies of the evidence is booked into ECPD evidence, the Booking Officer shall complete the pre-stamped chain of custody tag or label on the property being booked, including case number, date, name, item number, crime type and brief description. (Refer to CD/DVD booking requirements on pg. 11)

If the digital property is placed in the Q drive the Booking Officer shall complete the required property description in Mark 43 and narrate a clear description of all property being processed. If the photographic evidence is booked into ECPD evidence, the booking officer will follow the guidelines set forth in the CD’s/DVD’s section of this manual, Pg 11.

- Seal the packaging with evidence tape, initial and date.

- Place the evidence into an evidence locker and attach the printed Mark43 evidence/property label to the item.

- Close the locker and make sure the locker is secure.