

Charleston County Coroner's Office Policy #34

Title: Property and Evidence Control

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34.1 POLICY

It is the responsibility of the Deputy Coroners to handle property and evidence, to properly manage, secure, and document all evidence and property in accordance with the procedures outlined in this directive or in other specific policies/manuals i.e. Medication and Illicit Drug Policy; Firearm Policy; Preservation of Evidence Act Policy (DNA Act). All movement of evidence and property will be documented from the time of collection to the item's final disposition. Paper records before 2016 or computerized records from 2017 and beyond, will be held indefinitely.

34.2 EVIDENCE ROOM SECURITY AND MANAGEMENT

1. Only sworn Deputy Coroner's will have authorized individual access to the evidence room or locked storage devices within the evidence room.
2. The Chief Deputy Coroner is responsible for overseeing access to the evidence room and the evidence management software. The Chief Deputy will have administrative-level user access to the evidence management software. The Coroner will not have access to the evidence room unless under escort from an authorized Deputy and the Coroner will have 'read-only' access to the evidence management software.
3. Upon turnover of any employee with access to the evidence room and evidence management software, their digital access authorization will be rescinded.

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4. The door to the evidence room will be closed and locked unless activity in and out warrants keeping the door open while working nearby.
5. The evidence room shall be under video surveillance at all times.
6. Anyone needing access to the evidence room who is not authorized by the Coroner shall be under escort by the aforementioned personnel and their access shall be for the following reasons:
 - a) Access is required to inspect evidence that is too large to be removed easily; or
 - b) Access is required to help load or unload evidence; or
 - c) Facility or equipment maintenance; or
 - d) Other written or verbal approval of the Coroner.

34.3 COLLECTION OF PERSONAL EFFECTS AND/OR EVIDENTIARY ITEMS

1. Deputies shall search for items of a personal nature on or about the body of a decedent and after photographing, they shall take the recovered items into their custody for safekeeping and/or for evidentiary value.
2. Generally, jewelry is left on the decedent but may be collected after documenting with photographs.
3. At the discretion of the case Deputy's immediate supervisor or higher, items recovered on or about a decedent of a personal nature may be released to legal next of kin at a scene. If approval from the supervisor is granted, the case Deputy shall enter the items into the Tracker system and shall dispose of the items to the authorized person. A photograph of the person's identification shall be taken and uploaded into MDI.
4. Any and all currency and/or coins, wallets/purses, or any other personal items or evidence received from another agency's representative (police, fire, EMS, hospital, morgue, funeral home, etc., who initially collected the items from a decedent or scene)

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will be accounted for and verified with that agency representative before the deputy accepts the items or currency.

5. Medication and collected items of value (personal effects) such as US currency, cell phones, jewelry, and credit/debit/gift cards shall be placed in the Deputy's vehicle lockable storage area.
6. Personal effects and/or evidentiary items collected should be submitted into the evidence lockers or the Evidence Technician by the following procedures:
 - a. Personal effects (PE), medication, or other evidence brought to the office may be directly turned over to the Evidence Technician in person. All money (US or foreign currency) will be collected and stored as later described in this policy. In the absence of the Evidence Technician, deputies shall store the property in one of the available temporary storage lockers and utilize the MDILog comlog to notify the Evidence Technician.
 - b. Deputies shall not co-mingle items from different cases in the same bag but may put more than one case's items in the same temporary locker when necessary due to lack of locker space.
 - c. Firearms (See policy: Firearms as Evidence or Safekeeping) are the exception and will be secured in an available temporary storage locker prior to the deputy returning to their residence in accordance with the respective policies.
 - d. Personal use of any items or medication or items authorized for destruction is strictly prohibited.
 - e. At no time will explosives, flammables, corrosive materials, dangerous chemicals, unknown biological specimens, radioactive materials, or other dangerous items be brought to the Coroner's Office building. Such items should be secured by qualified law enforcement personnel.

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- f. Suspected illicit drugs found at a scene should routinely be collected by law enforcement personnel however, they may be collected by the case deputy. Small, personal use amounts of illicit drugs found at autopsy may be stored in the evidence room after being double bagged in plastic.
- g. Wet/damp or bloody items shall be transported in plastic bags. Prior to placement in a temporary storage locker or being turned over to the Evidence Technician; bloody items or items that have blood or body fluid(s) on them, will be clearly marked with a biohazard warning label or sticker.
- h. In the event of the need to reclaim (as evidence) wet or damp or bloody/fluid-stained clothing sent with or on a decedent bound for autopsy, the case Deputy Coroner shall arrange for the immediate collection of said wet/damp/bloody items upon completion of the autopsy at MUSC. These items should not be left to linger at the autopsy suite. Upon transport to the evidence room, these items shall be placed in the drying cabinet until dry.

34.4 PACKAGING AND LABELING

- 1. Plastic roll/bags shall be used to package medication, coins, personal property (except large purses, backpacks, etc.), and some types of evidence. The plastic roll/bags shall be sealed with a date and initials on the seal(s). Paper currency will be packaged in a tamper-evident plastic bag with a date and initials on the seal. Paper bags may also be used for items not requiring enhanced security but their use shall be for general storage of evidentiary items.
- 2. Items collected from one case shall not be commingled with any items from another case in the same bag.
- 3. A computer-generated barcode label will be utilized as an individual record of each item or set of items submitted to the evidence room.

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4. All firearms, medication, illicit drugs, currency, jewelry, or other property of high value will be packaged separately from other items of property or evidence and submitted with individual labels.
5. Items can only be grouped together when they are similar in nature, i.e., prescription medication for a single individual, or personal property of a decedent held for safekeeping {wallet, purse, keys, cell phone) can go in one bag}, jewelry, etc.
6. Orange “Biohazard” stickers shall be placed on the packaging of any item containing known or suspected biohazardous agents.
7. Personal effects or evidence should not be entered into Tracker and barcoded on a single property label in such a manner that creates an excessive or unmanageable quantity.

34.5 STORAGE

Any item of personal effects or of evidentiary value will be properly entered into Tracker and labeled with a barcode sticker prior to long-term placement in the evidence room. Within the appropriate location, items will be stored starting with the oldest case numbered item from left to right and then top to bottom for shelf storage. If items are stored in a drawer or box, the oldest case numbered item will be in the back of the drawer or box (newest in front). Items shall not be stored wet or damp. Items collected from cases with a manner of death deemed “Homicide” shall be stored separately from items collected from the remaining types of cases.

34.6 INCREASED SECURITY

1. Currency
 - a. All currency found at a scene will be photographed as found and counted at the time of collection by the case Deputy. Any amount of US currency OVER \$500 will be counted with a law enforcement officer or a second Deputy Coroner on the scene. The case Deputy Coroner will properly record the denomination amounts on a tamper-evident plastic bag; seal the bag; date and initial the seal. If utilizing a witness, have the

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witness print and sign their name with the date and time on the bag. Foreign currency, checks, stocks, or bonds shall be bagged separately from US currency.

- b. **Any and all currency and/or coins received from another agency's representative (police, fire, hospital, morgue, funeral home, etc., who initially collected the funds from a decedent or scene) will be counted and verified with that agency representative before the deputy accepts the currency and/or coins.** The Deputy Coroner will properly record the denomination amounts on the tamper-evident plastic bag; seal the bag; date and initial the seal. The representative from the other agency shall print and sign their name with the date and time on the bag. Foreign currency, checks, stocks, or bonds shall be bagged separately from US currency.
- c. More than one bag may be used should the volume of currency exceed one bag's capacity or additional money is discovered subsequently.
- d. In the absence of the Evidence Technician, the Deputy Coroner shall secure the bag in an available temporary storage locker.
- e. Any coins collected may be given to the Evidence Technician or left with the remainder of any PE in the temporary storage locker at the Deputy's discretion.

2. Precious Metals, Gemstones, and Jewelry

- a. Generally, any suspected precious metals, gemstones, jewelry, and other small items of exceptional value on a decedent's body shall be left in place and shall be transported with the body by the removal service. Should the Deputy Coroner decide to collect those items from the body or those items located about the body, they will be packaged separately from other items submitted for one case. These items should be photographed prior to collection and handled as previously described in this policy.

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- b. Multiple items of jewelry may be packaged together for one case. Items can be placed in folded paper and then placed in a single tamper-evident plastic bag or if removed at autopsy, can be bagged in plastic roll with heat sealer compartments as necessary.
- c. Description for barcoding should describe the metal color, not the suspected content. A gold-in-color ring with a diamond type of stone should be described as a “yellow metal ring with clear stone”.
- d. Silver-colored jewelry should be described as ‘silver-colored metal’ not ‘silver ring’, ‘platinum ring’, etc.

34.7 PRESCRIPTION MEDICATION AND ILLICIT DRUGS

See “Prescription Medication and Illicit Drug” policy.

34.8 PRESERVATION OF EVIDENCE ACT (DNA Act) ITEMS

When a conviction for the offense of murder, felony DUI, or any other offense listed in the Preservation of Evidence Act occurs where evidence is held, the Evidence Technician is primarily responsible for re-labeling and re-locating the evidence as described in the Preservation of Evidence Act Policy and updating Tracker. See “Preservation of Evidence Act Policy”.

34.9 PERISHABLE EVIDENCE, BLOOD, BODILY FLUIDS, AND TISSUE SAMPLES

1. Universal precautions must be followed when handling blood, body fluids, tissue samples, and other potentially infectious material or items contaminated with blood, body fluids/tissue in accordance with CCCO policy.
2. All items containing or contaminated with blood, body fluids/tissue, vials of blood, urine specimens, other body fluid samples, tissue samples, or body parts must be sealed in a leak-proof container such as a plastic container, tube, evidence bag, or otherwise properly preserved and should have a “biohazard” warning sticker, or bag label either on the item or at its storage location such as items in a refrigerator or freezer. Where the

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sample has been obtained from an outside agency or lab that issues chain of custody paperwork, ensure the documentation is appropriately uploaded into the MDI case file.

3. Items received in a frozen state should be kept frozen by placement in the freezer unless otherwise directed by either the toxicology consultant or a supervisor.

34.10 RELEASE, CHECK-OUT, AND RECEIPT OF EVIDENCE AND PROPERTY

1. Release of property or evidence.
 - a. The case Deputy Coroner shall authorize the release of property or evidence by use of the “com log” feature of MDI or other means of communication.
 - b. Should it become necessary to mail the personal property and/or money to the appropriate party, any US currency over \$50.00 will be deposited in the CCCO account with the County Treasurer’s Office and a check will be obtained from the Finance Department in the name of the receiving party.
 - c. When property and/or evidence is picked up in person, the Deputy Coroner or Evidence Technician will update the Tracker system to “Dispose” of the items and generate a “Transfer Receipt” for the receiving party to sign or have them sign on a tablet. Take a photograph or scan of their driver’s license or identification card and upload that into Tracker (on a tablet if used) or MDI documents.
 - d. All bags containing currency shall be opened and accounted for with the receiving party.
 - e. The signed “Transfer Receipt” and photo/photocopy of their identification shall be uploaded into MDI for the case. If the tablet is utilized to capture their signature, a copy of the “Chain of Custody” shall be uploaded into MDI.
 - f. Identification cards such as driver’s licenses, state-issued identification cards (including concealed weapon permits), US or

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foreign passports, and any other state or federally-issued identification cards will not be released to family or funeral homes unless authorized by a supervisor. If necessary, those IDs may be released to a funeral home to transport a decedent out of the country. Government-issued identification may be released to the issuing governmental department/agency.

- g. Should the next-of-kin fail to retrieve items in a timely manner after notification, the case Deputy Coroner should make reasonable contact with them to expedite the return of items or obtain written authorization where possible from the NOK for disposal of the items within 45 days. The Evidence Technician may also generate a reminder letter which also indicates failure to claim items shall result in item disposal or transfer of funds to the county liability account.

2. Temporary Check-Out:

- a. The Deputy Coroner or Evidence Technician will make the appropriate data entry in the Tracker system showing the status of an item that is checked out for a specific purpose (court, inquest, investigation, etc.). In general, items going to a law enforcement agency for investigation are not checked out but “disposed” to that agency via a Transfer Receipt due to the length of time the item will probably be out of our custody. Should that item be returned to our custody, a new entry shall be made in the Tracker system.
- b. The item(s) will be returned to the evidence room prior to the deputy leaving the office unless going to court or otherwise directed by a supervisor. Appropriate data entry will be made showing the item(s) has been checked in.
- c. Narcotic or controlled medications and money checked out shall be accounted for by a second deputy or the Evidence Technician prior to return to the evidence room.

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- d. If the item is held by the Clerk of Court, the Deputy Coroner will obtain their name, and signature on either a "Transfer Receipt" or have them sign for the item on a tablet via Tracker. Update MDI records accordingly.
3. If an item is returned or shipped to the Charleston County Coroner's Office, the Deputy Coroner or Evidence Technician will make appropriate data entry in the Tracker system and secure the item in the appropriate storage space in the evidence room. Upload any paperwork and the new Tracker chain of custody for the item into MDI for the case.

34.11 FINAL DISPOSITION OF EVIDENCE AND PROPERTY

1. Transfer of Currency.
 - a. Unless otherwise directed, the Evidence Technician shall deposit unclaimed currency with the Charleston County Treasurer's Office at intervals not to exceed 6 months with approval from the case deputy and the evidence technician's supervisor on a case-by-case basis. Cases going through Probate Court shall not apply until resolved by the court. Any currency that is not claimed by next of kin within six months of the date of collection will be accounted for by the Evidence Technician and a Deputy Coroner prior to transferring the money to the Charleston County Treasurer's Office for deposit. A deposit transmittal form will be completed with the current org key and the object code.
 - b. The funds will be escorted to the Treasurer's Office by the Evidence Technician and the Deputy.
 - c. The original transmittal form will be filed with the Coordinator of Administrative Services.
 - d. The Evidence Technician or Deputy Coroner will update the Tracker system to reflect the disposal of funds via transfer to the Treasurer's Office.
2. Destruction of Evidence and Property

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- a. All items of evidentiary value (not personal effects) shall be held for at least 1 year from the date of collection. At that time, a review for disposition decision shall be conducted on the item(s).
- b. The Evidence Technician shall maintain a destruction rotation schedule that includes a review of all eligible items at least once annually.
- c. The Evidence Technician will generate a report of all evidence and property that is pending approval for disposal for each Deputy Coroner. The case Deputy Coroner shall decide the item's disposition and sign the form. The Chief Deputy or the Coroner shall review the recommendations of the case Deputy Coroner and give final written authorization for destruction or other disposition.
- d. Prior to a final authorization for the disposal or destruction of items for a particular case, the case must be administratively closed; the start date of the investigation must be older than one year.
- e. Once the final approval is obtained, the Evidence Technician and one other person will pull the items on the approved destruction list from their current storage location, update Tracker to reflect the disposition, and destroy the items to a degree that renders them useless or otherwise dispose of the item(s) as directed. Paper items will be shredded. Items will be discarded in the dumpster where possible and in accordance with state and federal regulations. Higher security items such as firearms, medication, and suspected illicit drugs will be destroyed as directed in their respective policies. Biohazard items will be bagged and sealed in red 'bio bags' and will be packaged for pick-up by the designated disposal service or transported to a DHEC approved location for destruction.
- f. Any evidence from cases with a manner deemed "Homicide" or "Undetermined", and any evidence for deaths falling under the Preservation of Evidence Act will NOT be authorized for destruction

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without prior specific, signature authorization of the Chief Deputy or the Coroner.

34.12 INVENTORY, INSPECTIONS, AUDIT, AND REPORTING

1. Inventory.

- a. On an annual basis, all items in custody will be inventoried and a complete report will be sent to the Chief Deputy as outlined below. Inventory may be conducted on a rotating basis which would render an inventory of every item at least once a year. Two employees should be utilized to conduct the inventory if possible.
- b. Whenever there is a change in personnel with access to the evidence room, the Chief Deputy Coroner or the Coroner will designate two people to conduct a special inventory of some of the items consigned to the evidence room. The purpose of the inventory is not to inspect every single item in custody, but to inspect enough to ensure that property and evidence, and associated documentation are properly maintained.

2. Inspections

- a. The Chief Deputy Coroner is responsible for ongoing supervision and inspection of every facet of the property and evidence control function of the Coroner's Office. A formal, supervisory inspection of the evidence room and the processes used to ensure the room's security and integrity may be conducted by the Chief Deputy at their discretion. Specific topics should include but are not limited to:
 - i. Compliance with policy;
 - ii. Compliance with disposal procedures;
 - iii. Checked out items;
 - iv. Disposition documentation- ensure compliance;
 - v. Inventory levels- check the number of items received vs. the number of items released, transferred, or destroyed

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- vi. Safety conditions of the evidence room- working conditions, workplace hazards, use of personal protective equipment when necessary;
 - vii. Security of evidence;
 - viii. Compliance with release authorization procedures/timely release of personal property;
 - ix. Training of deputies in the area in evidence and property practices and management as needed.
- b. A written or verbal report shall be made to the Coroner upon demand. When a deficiency or discrepancy is noted, the Chief Deputy is responsible for promptly correcting the situation. If a breach of security is discovered during the inspection or at any other time, the Coroner will be immediately notified.

3. Audit.

- a. At the discretion of the Coroner, an audit and inspection of property held by the CCCO may be conducted by the Coroner or a designee who is not routinely or directly connected with control of property and evidence. If an outside auditor is selected, that person(s) will read and review all CCCO policies related to evidence and property prior to conducting the audit.
- b. Currency, firearms, suspected illicit drugs; Homicide items; personal effects, and items held under the Preservation of Evidence Act will be inventoried with 100 percent accountability.
- c. A random inventory sampling of the remaining items will be conducted as determined by the Coroner.
- d. The following tasks should also be performed:
 - i. Conduct a review of access control procedures;

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- ii. Randomly select case files from within the past year and trace items from their collection via a chain of custody records to the current location;
- iii. Randomly select items in the evidence room and trace the items back through the evidence management computer files and/or paper records to documentation in the case file;
- iv. Randomly select and trace items in the enhanced security area (Homicide items, firearms, illicit drugs, jewelry, DNA Act items) back through the computer files and/or paper records;
- v. Randomly select transferred and destroyed item records and trace items through the system to ensure proper documentation;
- vi. Review the current inventory level of the evidence room and any trends regarding rates of inventory gain/loss over the previous 5-10 years (where those records are available);
- vii. Review compliance with packaging and safety standards;
- viii. Review property and evidence policies to ensure they are correct and up to date.

4. Reporting.

- a. At the conclusion of an audit, a final report will be prepared listing:

- i. The names of all persons present;
- ii. Date(s) of activity of the inventory, inspection or audit;
- iii. Beginning and ending times of activity;
- iv. What areas were affected;
- v. What items were checked and the outcomes;

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- vi. Any discrepancies in inventory or documentation; and
 - vii. Any corrective measures that are recommended.
- b. The report will be sent to the Coroner within one month from the end of the audit. Any missing/lost items or documentation will be investigated at the direction of the Coroner.