



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
FIELD

REVISION DATE
3/28/19

PAGE NUMBER
1 of 6

NUMBER
DOC 420.395

POLICY

TITLE
EVIDENCE/PROPERTY PROCEDURES FOR FIELD

REVIEW/REVISION HISTORY:

Effective: 9/19/05
 Revised: 4/17/08
 Revised: 5/24/10
 Revised: 3/26/12
 Revised: 2/15/13
 Revised: 3/28/19

SUMMARY OF REVISION/REVIEW:


Numerous changes to include requiring annual evidence audits and responsibilities for property management. Read carefully!

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
 Department of Corrections

2/26/19
 Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 9.41.045](#); [RCW 9.41.098](#); [Records Retention Schedule](#)

POLICY:

- I. The Department has established procedures for disposing/returning items confiscated/collected during arrests and searches, including illegal items and items released to law enforcement for evidence in new prosecution, in an effort to ensure public safety.
 - A. Evidence and property will be documented, secured, and controlled to allow for safe, timely disposal.

DIRECTIVE:

- I. General Responsibilities
 - A. For each Field Office, the Community Corrections Supervisor (CCS) will designate an evidence custodian and, with Field Administrator approval, may designate an additional evidence custodian.
 1. When the evidence custodian(s) is unavailable, the CCS will serve as the back-up evidence custodian.
 - B. The CCS/evidence custodian(s) will be responsible for control, storage, and disposal/return of evidence.
 - C. The Community Corrections Officer (CCO)/designee will be responsible for control, storage, and disposal/return of property.
 - D. The CCS, evidence custodian(s), and CCO/designee will be trained in evidence and/or property procedures and policy before assuming duties.
- II. Collection and Management
 - A. Field Office's will have a secured area to store property.
 1. If a secured area cannot be maintained, the CCS will consult with the Field Administrator to create protocols.
 - B. Field Office's will have secured lockers for temporary and long-term storage of evidence. Only the CCS and evidence custodian(s) will have keys/combinations for the evidence lockers.



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1. Evidence lockers will be maintained in a secure room that may only be accessed by employees, and will be bolted or attached to a wall or the floor. If there is no secure room available, an alternative location for the evidence lockers may be selected as approved by the Field Administrator.
 2. Any evidence officer can place evidence in an open, temporary evidence storage locker.
 3. Only the CCS/evidence custodian(s) can place evidence in the long-term evidence storage lockers.
- C. Confiscated/collected evidence and/or property will be documented on DOC 05-825 Evidence/Property Record - Field by end of shift.
1. If possible, the property owner will sign DOC 05-825 Evidence/Property Record - Field and receive a copy.
- D. Evidence confiscated for criminal and/or violation proceedings will be brought to the Field Office for storage.
1. Evidence with serial numbers will be checked through the National Crime Information Center and Washington Crime Information Center.
 2. The evidence officer will:
 - a. When local law enforcement is unable to respond, contact the Warrants Desk to obtain an incident report number.
 - b. Place the evidence and original DOC 05-825 Evidence/Property Record - Field into temporary storage by end of shift or deliver to the evidence custodian for long-term storage.
 - 1) Evidence must be delivered to the evidence custodian within 3 business days and will only occur at the site where the long-term evidence storage lockers are located.
 - c. Ensure a copy of the record is immediately emailed to the CCS and evidence custodian, and scanned to the electronic imaging file.
 3. Before placing evidence in the long-term storage locker, the evidence custodian will:
 - a. Ensure the evidence is properly labeled and packaged with the original, completed DOC 05-825 Evidence/Property Record - Field.

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b. For each incident, log the evidence on DOC 05-820 Custodian Evidence Log.

1) Logs will be posted in the locker with each numbered piece of evidence logged on a separate item line.

4. Once evidence is placed in a locker, the locker must be closed and locked.

E. Property not needed as evidence may be released. Property that is not immediately claimed by a third party will be placed in property storage.

1. Property being stored will be logged on DOC 05-821 Property Log and placed with the original DOC 05-825 Evidence/Property Record - Field in storage.

2. When claiming property, recipient signatures are required on DOC 05-825 Evidence/Property Record - Field and DOC 05-821 Property Log.

III. Transfer and Return/Disposal

A. Every 3 months, the evidence custodian will identify and dispose of items no longer needed in the evidence lockers and property storage. The evidence custodian will notify the CCO/designee to coordinate the disposal of property no longer needed.

1. Evidence associated with a criminal proceeding may be disposed of as follows:


a. Felony conviction - 14 months after the adjudication date, or sooner with written permission from the Prosecuting Attorney's Office

b. Misdemeanor or gross misdemeanor conviction - 120 days after the adjudication date, or sooner with written permission from the Prosecuting Attorney's Office


c. Finding other than conviction - only with written permission from the Prosecuting Attorney's Office

2. Evidence associated only with the violation process may be disposed of following final disposition of the violation.

3. Evidence/property will not be retained for training purposes.

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- B. The evidence custodian or CCO/designee will complete DOC 05-823 Evidence/Property Transfer/Disposal and DOC 05-820 Custodian Evidence Log/ DOC 05-821 Property Log when:
1. A sealed evidence bag is opened,
 2. Evidence is transferred to law enforcement, an incarcerating facility, another office, or third party, or
 - a. Each time evidence is transferred out of or returned to the secured evidence room, a new DOC 05-823 Evidence/Property Transfer/ Disposal will be initiated.
 - b. Evidence returned after being transferred will be logged on a new DOC 05-820 Custodian Evidence Log and placed in long-term evidence storage.
 - 1) If the evidence has been opened, the evidence custodian will ensure that the returning CCO reseals and labels the evidence before it is returned to long-term evidence storage.
 3. Evidence/property is removed from the secured area/room.
 - a. When returning property:
 - 1) All items may be included in a single item number (e.g., Items 1-25).
 - 2) Recipient and releasing employee signatures are required on all related forms.
- C. Illegal items (e.g., firearms, potentially explosive devices, chemicals) will be delivered by the evidence custodian to a Washington State Patrol District Office, as listed in Attachment 1, and/or local law enforcement for disposal.
1. The evidence custodian will consult with the CCS and Field Administrator when local law enforcement will not accept illegal items.
 2. Department personnel will not transport hazardous items or material (e.g., methamphetamine lab paraphernalia).
- D. Non-hazardous, legal items will be disposed of or returned as appropriate.
1. The CCS/designee will serve as a witness when disposing property or evidence and sign DOC 05-823 Evidence/ Property Transfer/Disposal.

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2. Confiscated legal firearms will be returned to a responsible family member or friend, if possible, or delivered to the Washington State Patrol and/or local law enforcement.

E. Transfer/disposal of evidence/property and/or non-hazardous items will be documented in the individual's electronic file.

F. DOC 05-823 Evidence/Property Transfer/Disposal will be scanned to the electronic imaging file and retained per the Records Retention Schedule.

IV. Evidence Audits

A. The Assistant Secretary for Community Corrections will designate an employee to conduct annual audits of evidence storage lockers and logs at each Field Office.

1. The CCS must be present during the audit.

2. At the completion of each audit, the designated employee will submit a report to the Assistant Secretary for Community Corrections, including any deficiencies.

3. Deficiencies will be addressed in formal corrective action plans developed and agreed to by the CCS and designated employee.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

[Washington State Patrol District Offices \(Attachment 1\)](#)

DOC FORMS:

[DOC 05-820 Custodian Evidence Log](#)

[DOC 05-821 Property Log](#)

[DOC 05-823 Evidence/Property Transfer/Disposal](#)

[DOC 05-825 Evidence/Property Record - Field](#)