

## Evidence and Contraband

### 1036.1 PURPOSE AND SCOPE

The purpose is to establish and implement written policy and procedures for the collection, documentation, preservation, storage, and disposal of evidence and contraband by juvenile facility staff. This policy applies to all juvenile facility staff.

#### 1036.1.1 DEFINITIONS

Definitions related to this policy include:

**Chain of custody** – The combination of documented links between the moment a piece of evidence is seized and when it is entered into evidence at trial. These links are the persons who handled the evidence and the times, locations, and purposes of the handling.

**Contraband** – Any object, writing or substance, the possession of which would constitute a crime under the laws of the State of California, pose a danger within a juvenile facility, would interfere with the orderly day-to-day operation of a juvenile facility, or violate facility rules.

**Physical evidence** – Material admissible in court which helps prove a crime was committed.

### 1036.2 AUTHORITY AND REFERENCES

- Executive Committee;
- Policy 1008: Prison Rape Elimination Act (PREA) of 2003.

### 1036.3 POLICY

Juvenile facility staff shall take appropriate measures to collect, document, preserve, store, and dispose of evidence in any situation involving an apparent law violation. Facility manager(s) shall designate a specific locked area to be used for the storage of evidence. Only managers, supervisors, and duty officers shall have access to the area designated for the storage of evidence.

### 1036.4 COLLECTION

When a crime appears to have been committed and there is physical evidence, staff shall verbally notify the DO and await further instructions. Prior to the collection of the evidence, it may be necessary to take photos of the evidence and the area in which it was discovered. In some cases, law enforcement may need to be summoned. Refer to Policy 934: Death and Serious Illness or Injury of a Youth while Detained and Policy 1008: Prison Rape Elimination Act (PREA) of 2003.

The duty officer (DO)/supervising probation officer (SPO) shall be notified immediately of any situations involving the discovery of possible evidence.

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### **1036.5 DOCUMENTATION**

The staff member collecting the evidence shall ensure each link in the chain of custody is documented. Each time the evidence is transferred, the date, time and staff member's name shall be noted on the evidence envelope.

The person who collects physical evidence shall wear protective clothing and gloves, carefully place the evidence in an envelope or label it in a way that will not deface or alter it. The label or envelope shall include the date and time it was collected, location collected, the suspect's name, client identification number (CID), description of the evidence, and how it was detected and collected. The envelope or label must include the name and signature of the person who collected it.

### **1036.6 MEDIA RECORDINGS**

The staff member collecting media evidence shall ensure their link in the chain of custody is documented. Media recordings of incidents that may be evidence of a crime shall be downloaded and stored on an external storage device. The device shall be labeled with the facility name, date and time of the incident, location of the incident, the CID number(s) of youth involved, and incident report number. The device shall be packaged and forwarded to the facility manager.

### **1036.7 PRESERVATION**

Appropriate measures shall be taken to preserve the evidence in such a manner as to prevent its contamination or deterioration.

### **1036.8 STAFF RESPONSIBILITIES**

Staff involved in the collection of evidence shall prepare an incident report in the Juvenile and Adult Management System (JAMS), including all of the information listed above.

The owner of the property collected as evidence shall receive a Property Receipt.

Juvenile facility manager(s) shall determine the disposition of any evidence not used by law enforcement or the court.

The fire department, law enforcement, or other appropriate agency shall be contacted for the removal and safe storage of evidence which may be explosive or otherwise hazardous.

The DO/SPO shall forward incident reports documenting the discovery of possible evidence to the facility manager(s) prior to the end of the shift.

# Riverside County Probation Department

Policy Manual

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### **1036.9 EVIDENCE DISCOVERED DURING ADMITTANCE**

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