

POLICY AND PROCEDURES

NUMBER: 840

SUBJECT: Preservation of Evidence

ACA STANDARDS: 4-ALDF-2C-06; 6C-19

DIRECTOR: Herbert Bernsen

EFFECTIVE DATE: 3/1/90 REVISION DATE: 9/97, 11/00, 7/08, 4/12,
4/14



I. POLICY

The St. Louis County Department of Justice Services shall establish a system to preserve evidence when an alleged criminal act has occurred or illegal contraband is discovered during a search.

II. RESPONSIBILITIES

All St. Louis County Department of Justice Services' staff are responsible for the following procedures.

III. DEFINITIONS

Chain of Custody: The access and control of item(s) of evidence.

Evidence: Item(s) that are found at the scene of an alleged crime which may support charges brought against an inmate, staff member or visitor.

Illegal Contraband: Weapons, controlled substances, or any serious contraband which may lead to criminal charges against an inmate, staff member or visitor.

IV. PROCEDURES

A. Preservation of Evidence at an Alleged Crime Scene

1. The on-scene staff member will notify the Watch Commander.
2. The Watch Commander will respond immediately to the scene. He/she will bring an evidence bag and evidence receipt with them. (See Attachment 1) The evidence bags and receipts are in the Watch Commander's cabinet.
3. Upon the Watch Commanders arrival, he/she shall secure the area of the alleged crime scene.
4. The Watch Commander will ensure sufficient backup is called to assist in securing the area.
5. The Watch Commander will make a determination as to which of the following will be contacted:
 - a. Clayton Police
 - b. Corrections Medicine
 - c. Director
 - d. Internal Affairs
 - e. Superintendents
 - f. Unit Manager.
6. The Watch Commander will instruct Master Control of any necessary phone calls and also direct an on-scene staff member to write notes needed for an Incident Report, including:
 - a. Name of subject
 - b. Name of witnesses
 - c. Name and Designated Security Number (D.S.N.) of all staff members involved
 - d. Name and D.S.N. of all police officers involved

- e. Time of events
- f. List of all items taken by the police as evidence
- g. Police Report Number.

[Note: The incident report will include the amount of contraband that has been jointly verified by Clayton Police and Justice Services staff.]

- 7. The Watch Commander or Administrative personnel will ensure no evidence is to be moved or touched until the police arrive, unless it is considered a dangerous weapon or if the area cannot be correctly secured in which case the evidence will be seized and the area from where it was removed should be marked. If the evidence must be moved, the staff member will put on gloves before touching the evidence. (The item shall be placed in an evidence bag and an Evidence Receipt made as in B 4-7 of this procedure.)
- 8. Upon arrival of the Clayton Police, they will take control of the alleged crime scene. Justice Services' staff will assist as requested by the police. The police will complete a list of all evidence taken and give a receipt or report number to the Watch Commander or his/her designee.

[Note: Clayton Police and Justice Services staff will verify the amount of contraband together. All descriptions and amounts included in the incident report will be the same as reflected in the Clayton Police Report.]

- 9. All staff involved in the incident will write a detailed Incident Report. The Incident Report and a copy of the Evidence Receipt shall be kept together.

[Note: The incident report will reflect the same description of the evidence as the police report (i.e. number of pills, amount of substance).]

- 10. The Watch Commander will review all Incident Reports.
- 11. The Watch Commander will log the event in the Watch Commander's Report.

B. Discovery of Illegal Contraband During a Search

- 1. While conducting a search of a person or an area, illegal contraband will be seized immediately. **840:Page 3 of 5**

2. The on-scene staff member will notify the Watch Commander.
3. The Watch Commander will call for sufficient backup to assist the staff member with any problems. They will also instruct the on-scene staff member to write notes needed for an Incident Report including:
 - a. Name of subject
 - b. Type of illegal contraband
 - c. Name and D.S.N. of all staff members involved
 - d. Name and D.S.N. of all police officers involved
 - e. Name of witnesses
 - f. Time of events
 - g. Police report number.

[Note: The incident report will include the amount of contraband that has been jointly verified by Clayton Police and Justice Services staff.]

4. The staff member will give the area supervisor the illegal contraband who will inform the Watch Commander to bring an evidence bag to the location.
5. The Watch Commander will take an evidence bag to the location and give the bag to the area supervisor who will place the items in the bag and seal the bag. The Watch Commander will sign the bag, ensure the names of the staff members who found the evidence and placed the evidence in the bag are placed on the bag and then write a description of the evidence on the bag.
6. The Watch Commander will write the necessary information on an Evidence Receipt. The Watch Commander, the area supervisor and the on-scene staff member will sign the evidence receipt with their name and D.S.N. The Watch Commander will then ensure two (2) copies of the evidence sheet is made. One (1) of the copies of the evidence receipt will be given to the police and the other copy is placed in the appropriate book in the Watch Commander's office.

7. The Watch Commander will lock the evidence bag in an evidence locker located in the Communications Equipment Room on the third floor, until the police arrive, to ensure the chain of custody.
8. The Watch Commander will make a determination and instruct Master Control as to which of the following will be contacted as soon as possible after the search:
 - a. Clayton Police
 - b. Medical Department
 - c. Director
 - d. Internal Affairs
 - e. Superintendents
 - f. Unit Manager.
9. Upon arrival of the police the Watch Commander will give the evidence bag to the police officer who will sign and date the Evidence Receipt and give a copy or report number to the Watch Commander or his/her designee.

[Note: Clayton Police and Justice Services staff will verify the amount of contraband together. All descriptions and amounts included in the incident report will be the same as reflected in the Clayton Police Report.]
10. All staff involved in the incident will write a detailed Incident Report. The Incident Reports and a copy of the Evidence Receipt shall be kept together.

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