

SUBJECT: FIELD PHYSICAL EVIDENCE

EVIDENCE ACCOUNTABILITY PROCEDURES FOR FIELD PERSONNEL

Physical Evidence constitutes any object or substance which may be presented at a trial to assist in proving an issue.

PROCEDURE FOR THE HANDLING OF PHYSICAL EVIDENCE WHEN ASSISTING ANOTHER LAW ENFORCEMENT AGENCY

When the Bureau is assisting another agency, the other agency will be responsible for the seizure, retention, laboratory submission, and handling of all physical evidence, unless the request for assistance specifically involves the collection and/or examination of evidence, or unless impractical or otherwise approved by supervisory personnel.

If evidence is seized by a Bureau Agent while assisting another agency and that evidence is subsequently released to the requesting agency, the Bureau Agent seizing the evidence will be responsible for assisting that agency in the submission of that evidence to a Bureau Laboratory.

INITIAL MARKING AND IDENTIFICATION OF SEIZED EVIDENCE

- A. When any piece of physical evidence first comes into the possession of a Bureau Agent, the evidence will be marked immediately or labeled for identification and chain of custody. The identification should reflect the following:
 - 1. The case file number or laboratory file number, if the evidence is being received by laboratory personnel;
 - 2. The item number assigned by the Case Agent, or if laboratory evidence, the item number assigned by the Laboratory Information Management System (LIMS).
 - 3. The signature or initials of receiving Agent; and
 - 4. The date and time received.
- B. Any Agent subsequently receiving a piece of evidence after the case and item number have been placed on the evidence, will place his/her signature or initials along with the date received on the evidence each time the custody of the piece of evidence changes.

SUBJECT: FIELD PHYSICAL EVIDENCE

- C. Any Field Agent who receives custody of a sealed package where contents cannot be verified will mark the package "Sealed Package Only."

SPECIAL PACKAGING/LABELING REQUIRED FOR CERTAIN EVIDENCE

A. Suspected Controlled Substances

Items of evidence shall be placed immediately in a clear plastic bag and sealed in the most efficient manner available. The Agent's initials, witnesses' initials, date and time shall be across the seal. Any Agent witnessing this process will be responsible for questioning any delay in time for sealing or marking. Green marijuana will be placed in a paper bag or other suitable container.

B. United States Currency

Items of evidence shall be placed immediately in a clear plastic bag and sealed in the most efficient manner available. The Agent's initials, witnesses' initials, date and time shall be across the seal. Any Agent witnessing this process will be responsible for questioning any delay in time for sealing or marking.

C. Negotiable Instruments

Items of evidence shall be placed immediately in a clear plastic bag and sealed in the most efficient manner available. The Agent's initials, witnesses' initials, date and time shall be across the seal. An Agent witnessing this process will be responsible for questioning any delay in time for sealing or marking.

D. Jewelry

Items of evidence shall be placed immediately in a clear plastic bag and sealed in the most efficient manner available. The Agent's initials, witnesses' initials, date and time shall be across the seal. An Agent witnessing this process will be responsible for questioning any delay in time for sealing or marking.

E. Other Valuables

Items of evidence shall be placed immediately in a clear plastic bag and sealed in the most efficient manner available. The Agent's initials, witnesses' initials, date and time shall be across the seal. An Agent witnessing this process will be responsible for questioning any delay in time for sealing or marking.

SUBJECT: FIELD PHYSICAL EVIDENCE

F. Firearms

Items of evidence shall be marked and tagged immediately in the most efficient manner available. The Agent's initials, witnesses' initials, date and time shall be included on the marking or tag. Any Agent witnessing this process will be responsible for questioning any delay in time of sealing or marking.

G. Judicial Review Tapes

The "Judicial Review Tapes" received by the State Bureau of Investigation from the review panel as a result of the implementation of the Electronic Surveillance Act (wiretap) shall be appropriately marked by the file number, initials, and date after sealing. The agent in custody of the "Judicial Review Tapes" shall assure that the tabs on the cassette tapes have been punched out to prevent erasure. The "Judicial Review Tapes", along with the order remanding custody to the State Bureau of Investigation, shall be delivered to the Special Agent in Charge of the Intelligence and Technical Services Section or designee and logged into the evidence storage area on the SBI-69C. These tapes are not considered "evidence" except for inventory purposes at each evidence inspection.

PROCEDURES FOR BUSINESS AND/OR FINANCIAL RECORDS

- A. Each time an Agent receives original business and/or financial records, a Physical Evidence Transfer Receipt or Disposition Report (SBI-69B) shall be issued to the custodian of those records. The 69-B shall include a description of the evidence including types of records, periods covered, and other identifying remarks necessary to insure the accurate return of the materials. Due to the voluminous nature of business and/or financial records, multiple containers may be listed as one item of evidence.
- B. Under the column "Evidence Description," reference should be made to copies of the receipt (SBI-69B) and inventory issued to custodian of the records. The remainder of the Form SBI-69A shall be completed as prescribed for all other types of evidence.
- C. The Special Agent in Charge shall provide containers to secure and store voluminous records. The container should reflect the following information: Bureau file number, item number, date received, received from and received by (Agent's name). These containers should be secured in Agent evidence lockers or

SUBJECT: FIELD PHYSICAL EVIDENCE

in the repository for bulky storage evidence maintained by the District Office. In instances where more than one container is required, each should be marked to clearly indicate a series. Suggested examples of listing evidence:

1. Form SBI-69A: Item #1 Two container of records
 2. Form SBI-69B: Item #1 Two containers of records (Box 1 of 2)
(Box 2 of 2)
Item #2 One Deed of Trust (from item1 Box #1 of 2)
Item #3 One Deed of Trust (from item1 Box #2 of 2)
- D. Any non-record evidence or any document(s) removed from containers of records shall be handled in accordance with existing evidence handling procedures.
- E. Each instance where copies of records are received with no requirement to return the documents, a receipt and corresponding inventory entry will not be required. A Form SBI-11A should be prepared documenting the receipt of the copies and their relationship to the investigation.
- F. Photocopies of bank records secured by consent or process should not be considered evidence and should not be listed as evidence on a SBI-69A. A SBI-69B should not be issued to the custodian of those records.
- G. Written documents, such as forged wills, prescriptions, checks or other business and/or financial records or documents which have been seized as evidence and are no longer of evidentiary value, but may have future reference value, may be disposed of by declaring them as records and placing them in the master case file located in the Records Center. This action shall be documented on a SBI-69B showing both the declaration of the evidence as records, as approved by the Special Agent in Charge or Assistant Special Agent in Charge, and the transfer of the records to the Records Center.
- H. As business and financial records are most commonly seized or obtained in order to be examined or analyzed, there is no requirement that business and financial records seized for this purpose be maintained in sealed packaging.

RETENTION AND/OR SUBMISSION OF EVIDENCE

- A. The Case Agent will be responsible for the retention and reporting of evidence.

SUBJECT: FIELD PHYSICAL EVIDENCE

- B. All evidence retained by a Bureau Agent will be immediately transported to a Bureau evidence storage facility, or personally transported or mailed to a Bureau laboratory by first-class mail, commercial mail, or certified mail, or to a locker under the control of the Agent in a facility inspected and approved in writing by the Special Agent in Charge. If impractical because of existing conditions, Agents may place the evidence in temporary storage under his/her exclusive custody and control upon verbal or written approval by the Special Agent in Charge or Assistant Special Agent in Charge. Verbal or written approval must be documented on a written "Exception to Policy" (SBI-9) within three (3) working days. Evidence will not be retained in temporary storage longer than three (3) working days unless a written exception is obtained from the Special Agent in Charge or Assistant Special Agent in Charge. Evidence requiring laboratory analysis will be submitted to a Bureau laboratory within three (3) working days unless a written exception is obtained from the Special Agent in Charge or Assistant Special Agent in Charge.
- C. The following types and amounts of suspected controlled substances will be transported personally to a Bureau Laboratory within three (3) working days, unless a written exception is obtained from the Special Agent in Charge or Assistant Special Agent in Charge.
1. Five (5) pounds or more of Marijuana or Hashish;
 2. One (1) ounce or more of Cocaine or Crack;
 3. One quarter ounce or 100 dosage units or more of Heroin;
 4. One hundred (100) dosage units or more of LSD;
 5. One (1) ounce or more of any amphetamine, clandestine, or hallucinogenic powders;
 6. One hundred (100) or more dosage units of Dilaudid; or

SUBJECT: FIELD PHYSICAL EVIDENCE

7. One thousand (1000) or more dosage units of any other prescription drug.
- D. Controlled substances submitted to the Bureau laboratory will be returned to the Case Agent after completion of the laboratory examination. Any Agent receiving evidence by U.S. Mail shall have a personal post office box to receive this evidence. The evidence will then be immediately stored at the District Office storage facility in an evidence locker under the individual control of the Agent or in an individual locker under the control of the Agent which has been approved in writing by the Special Agent in Charge until introduced as evidence in court or other disposition. In the event evidence is received at the District Office, the employee receiving the evidence must comply with all Bureau evidence procedures.
- E. When the types and amounts of controlled substances described in C. are released by a Bureau laboratory or Evidence Technician, these will be picked up personally by a Bureau Agent.
- F. All guns submitted for laboratory examination will be mailed by certified or commercial mail, return receipt requested, or personally carried to a Bureau Laboratory.
- G. All guns returned by the laboratory after examination, or all other seized guns not submitted to a Bureau Laboratory, will be stored until court and/or other disposition in the Agent's evidence locker in the District Office storage facility, or in a locker under the control of the Agent which has been approved in writing by the Special Agent in Charge, or submitted to the employee designated as evidence custodian for bulk evidence.
- H. Ammunition submitted to a Bureau Laboratory will be personally carried to a Bureau laboratory or marked "Small Arms Ammunition O. R. M. D" and mailed to a Bureau laboratory by United Parcel Service.
- I. All U.S. currency, negotiable instruments, jewelry, or other valuables will be personally carried to a Bureau Laboratory or turned over to the Special Agent in Charge, or designated Assistant Special Agent in Charge. When any monies, negotiable instruments, jewelry, or other

SUBJECT: FIELD PHYSICAL EVIDENCE

valuables are released by a Bureau laboratory or evidence technician these will be personally picked-up by a Bureau Agent and turned over to the Special Agent in Charge or Assistant Special Agent in Charge for required storage.

DISTRICT OFFICE STORAGE

- A. The Special Agent in Charge will establish and maintain an evidence storage area in the District Office to accommodate each individual Agent's need for an evidence storage area. The Special Agent in Charge will ensure individual evidence lockers are located in this area for assignment to Agents who are handling evidence. The evidence lockers should have unique locks with the assigned Agent possessing the only key or combination. The evidence storage area(s) should meet as many of the following minimum guidelines as possible:

1. A single inner room;
2. Totally dedicated to evidence storage;
3. Structural hardening to the extent possible;
4. A single entrance door;
5. No window(s);
6. Equipped with a dead bolt lock; and
7. Motion and/or contact alarm(s).

The Bureau Physical Evidence Activity Log, Form SBI-69C, will be maintained for all entries into the evidence storage area.

- B. The Special Agent in Charge shall maintain a combination safe cabinet. The Special Agent in Charge and the Assistant Special Agent in Charge will have access to this safe. U. S. currency, negotiable instruments, jewelry, or other valuables, shall be kept in this safe. An inventory shall be maintained on items in the safe. The combined total value of items in the safe shall not exceed \$50,000 unless approval is granted by the on-call Assistant Director. The approval granting the excess will extend until access to the bank safe-deposit box is available. Agents needing to access the safe will act as the witness for the Special Agent in Charge or Assistant

SUBJECT: FIELD PHYSICAL EVIDENCE

Special Agent in Charge opening the safe. The Form SBI-69C will be utilized to account for access to the safe.

- C. The Special Agent in Charge and the Criminal Specialists shall maintain a bank safe-deposit box for the storage of U.S. currency, negotiable instruments, jewelry, or other valuables. The safe-deposit box will be utilized when the combined value of items stored in the combination safe cabinet exceeds \$50,000 or on other occasions at the discretion of the Special Agent in Charge. An inventory system will be maintained with Form SBI-69B(s). Agents needing to access the safe-deposit box shall act as a witness for the Special Agent in Charge or Assistant Special Agent in Charge accessing the safe-deposit box. A Form SBI-69C will be maintained for all entries into the safe-deposit box. The cost of renting the safe-deposit box should be paid with special funds and documented accordingly.
- D. The Crime Scene Search Specialist or other designated employee will be designated as evidence custodian for bulk evidence and a Assistant Special Agent in Charge and/or Special Agent in Charge will be designated backup bulky evidence custodian. A bulky evidence office storage or rental type facility will be maintained when needed for the storage of bulky evidence. An inventory system shall be maintained. The Form SBI-69C will be utilized for entries to the bulky evidence storage facility.
- E. All inventory records shall be maintained for five (5) years after all items are removed from storage.

EVIDENCE REPORTING

- A. The seizure of all evidence will be properly reported in the Bureau investigative file on a SBI-11A, including evidence seized by another agency. If a local agency collects evidence and properly reports the collection in that agency's report it shall be acceptable to incorporate this into the Case Agent's report by way of an attachment. When an Agent is participating in a Limited Case investigation, the Agent is required to document only that evidence seized during the fulfilment of the Limited Case request.

SUBJECT: FIELD PHYSICAL EVIDENCE

- B. A Form SBI-69A (Evidence Accountability Inventory) will be prepared for each investigative case in which a Bureau Agent seizes or handles an item of evidence. The Case Agent will begin filling out this form at the time the first item of evidence is seized or handled by a Bureau Agent. (**Exception,** in Clandestine Laboratory Investigations in which no physical evidence is seized by a Case Agent but reported by certified Clandestine Laboratory Agents e.g. Chemist and/or Latent, or certified Crime Scene Specialist in which selected samples are taken and documented in a laboratory report.)
- C. The Case Agent shall prepare and maintain all copies of the Form SBI-69A until the case is closed and the Closing Report (SBI-19) is submitted.
- D. Each piece of evidence seized or handled by a Bureau Agent will be listed on a Form SBI-69A and assigned a sequential item number by the Case Agent beginning with the number one (1). Business and/or financial records will be listed as previously described.
- E. The Case Agent shall indicate on the Closing Report (SBI-19) if no evidence was seized, if another Agency seized or handled the evidence or if the evidence was seized or handled by a Bureau Agent.
- F. Any Agent seizing evidence in another Agent's case will promptly notify the Case Agent of the seizure. Evidence seized by another Agent will be transferred to the Case Agent as soon as possible.
- G. The Form SBI-69A will be completed as follows:
 - 1. Bureau File Number should reflect the Case Agent's investigative file number.
 - 2. Suspect will be the suspect in the investigative case.
 - 3. Victim will be the victim in the investigative case.
 - 4. Each sheet should be completed and each Form SBI-69A should reflect which number it is of how many Form SBI-69A(s), (Example: 1 of 2, 2 of 2).

SUBJECT: FIELD PHYSICAL EVIDENCE

5. The Item Number Column should reflect the sequential item number for each piece of evidence and the first item on sheet one (1) should begin with Item Number 1. Additional sheets or forms in the same case would continue with the next sequential number.
6. The Evidence Description column should reflect a description of the item of evidence seized and should include such things as a serial number, if applicable.
7. The Where Found or From Whom column should reflect the location where the item was seized or the name of the person from whom the item was obtained. Surveillance audio/video tapes should have the name of the Agent documenting the tape in this block.
8. The Date column should reflect the date that the item of evidence was seized.
9. The Seized By and Department Column should reflect the first and last name and department of the officer who originally obtained the item of evidence.
10. The SF column should be checked only if Bureau Special Funds (monies only) are seized and retained as evidence. This column should not be checked if evidence was merely purchased with Special Funds.
11. The Final Disposition and Date column should be completed when the case is closed and the Form SBI-69A is submitted with the Closing Report (SBI-19). It should reflect disposition and the date. If the item is being retained by the Case Agent or other Agent for a court appeal or other approved reason, this column should be left blank when the canary copy of Form SBI-69A is submitted with the SBI-19 Final Report.
12. The Special Agent in Charge's Approval and Date column will be initialed and dated by supervisory personnel when the Form SBI-69A has been submitted with the Closing Report and each item reflects proper disposition.

SUBJECT: FIELD PHYSICAL EVIDENCE

A Form SBI-69B or other proper record of disposition shall be attached to the Form SBI-69A.

13. The Case Agent will date each Form SBI-69A when it is submitted with the Closing Report.
- H. All copies of the Form SBI-69A will be submitted with the Closing Report (SBI-19). After supervisory personnel determine that all evidence has been properly disposed of or accounted for with appropriate Form SBI-69Bs or other receipts attached, the white original will be submitted with the original Closing Report to the Records Center, the pink copy will be returned to the Case Agent, and the gold copy will be placed in the District Office file.
- I. If there are no items being retained for court appeals, deferred prosecutions, or other valid evidentiary reasons, the canary copy will be destroyed by the Case Agent. If there are items retained by a Bureau Agent, the canary copy of the SBI-69A will be submitted with the SBI-19 Closing Report and the white original copy will be maintained in a separate file at the District Office and evidence will be accounted for at each evidence inspection. When retained evidence is finally disposed of, the final disposition and date will be placed in the Final Disposition column and supervisory personnel will approve and submit the white original copy with any relevant 69Bs or receipts to the Records Center.

EVIDENCE RELEASE REQUIRES A RECEIPT

- A. Any Bureau Field Agent in the possession of evidence will not release the evidence to anyone without obtaining a receipt (SBI-69B) unless the evidence is mailed or submitted to a Bureau laboratory. If evidence is mailed to anyone other than a Bureau laboratory, a Form SBI-69B will be sent with the evidence for the receiving party to sign and return to the sending Agent.
- B. The Form SBI-69B (Transfer Receipt or Disposition Report) should be completed as follows:
 1. Bureau File Number is the Case Agent's investigative file number.
 2. Victim is the name of the victim in the case, if known.

SUBJECT: FIELD PHYSICAL EVIDENCE

3. Bureau Case Item Number column is the number of the item as reflected on the Form SBI-69A.
 4. Bureau Lab Number column is the Bureau laboratory file number, if known.
 5. The asterisk column will be initialed by the individual receiving an item if the item is in a sealed package and the contents cannot be verified.
 6. Evidence Description column is a description of the item of evidence.
 7. Receipt shall be completed when evidence is transferred to or from an Agent. It will reflect the name and signature of the person from whom the evidence is received, the signature of the person receiving the evidence, the date the evidence is received and signature of a witness, if available.
 8. Disposition Authority shall reflect how the listed items under Evidence Description will be disposed of and the signature, title, and date of the person authorizing disposal. In cases where controlled substances are destroyed it shall reflect complete destruction.
 9. Disposition shall reflect the method of disposal of the items, the signature, title, and date of the Agent disposing of the items. When evidence is destroyed it shall reflect the signature, date and title of a Bureau Agent who witnessed the destruction.
 10. In marijuana eradication cases in which the initial report reflects seizure and/or destruction of marijuana by another department, a Form SBI-69B disposition report is not required.
- C. The original white and gold copies of the Form SBI-69B will be submitted to the Case Agent for attachment to the Form SBI-69A; the canary copy will be retained by the Agent releasing the evidence, and the pink copy will be retained by the individual receiving or destroying the evidence. The white copy will be submitted with the Form SBI-69A and original final report to the Records Center

SUBJECT: FIELD PHYSICAL EVIDENCE

after approval by the Special Agent in Charge or designee and the gold copy will be retained in the District Office file.

SUBMISSION OF EVIDENCE TO A BUREAU LABORATORY

- A. When more than one Agent is involved in the collection and submission of evidence in an investigation, it shall be the responsibility of the Case Agent to coordinate the collection and submission of all evidence to the laboratory.
- B. If evidence is submitted in person by an Agent to a Bureau Laboratory, the submitting Agent will obtain a signed copy of the Request For Examination of Physical Evidence Form (SBI-5) from the Evidence Technician receiving the evidence. If the submitting Agent is not the Case Agent, the submitting Agent will forward the signed copy of the Request For Examination of Physical Evidence Form (SBI-5) to the Case Agent after making a copy.
- C. No Bureau Agent will submit evidence to a Bureau laboratory or receive evidence from a Bureau laboratory unless the evidence relates to a Bureau investigation.
- D. When evidence is picked up at a Bureau Laboratory by an Agent, the Agent shall sign the Request For Examination of Physical Evidence Form and obtain a copy. If the receiving Agent is not the Case Agent, the receiving Agent will forward this form to the Case Agent after making a copy.
- E. If evidence is submitted by an Agent to a Bureau laboratory, this evidence will not be released to anyone other than an Agent, unless authorized by the Case Agent. The Case Agent will be responsible for obtaining the returned copy of the Request For Examination of Physical Evidence Form.
- F. The person to whom the evidence should be returned should be listed as the requesting officer on the Form SBI-5. The Case Agent's case number must be on the Form SBI-5.
- G. Where to Submit:
 - 1. State Bureau of Investigation

SUBJECT: FIELD PHYSICAL EVIDENCE

Crime Laboratory
P. O. Box 2000
Garner, North Carolina 27529-2000

2. State Bureau of Investigation
Western Regional Laboratory
P. O. Box 2408
Skyland, North Carolina 28776-2408

H. How Evidence may be Submitted:

1. United States Postal Service (First Class or Certified Mail);
2. Commercial Carrier (e.g., UPS); or
3. In person

I. Evidence must be Sealed:

All evidence submitted to a Crime Laboratory will be submitted in a sealed container or package unless impractical. Each package or container will have the contributor's case number, the date, and the initials of the submitting officer across the package seal.

J. Request for Examination of Physical Evidence Form (SBI-5) Required:

1. All evidence submitted to a Bureau laboratory must have Form SBI-5 attached to the outside of the container or package.
2. The Form SBI-5 must be filled out completely prior to submission, including Parts B, C, and D on all major cases. If applicable, SBI-5 Supplement Form will be completed when submitting computer forensics evidence.
3. If evidence is submitted in person, the person submitting the evidence shall receive a copy of Form SBI-5 acknowledging receipt.

DISTRIBUTION OF LABORATORY REPORTS

- A. To ensure that the Case Agent and the District Office receive a copy of the laboratory report related to any evidence analysis, the Case Agent must:

SUBJECT: FIELD PHYSICAL EVIDENCE

1. Instruct the local "Requesting Officer" to list the Case Agent's file number in the appropriate space on the Form SBI-5 prior to submission; or;
 2. List himself/herself as the "Requesting Officer" on the Form SBI-5.
- B. In the event a Bureau Agent becomes involved in an investigation after evidence has been submitted to a Bureau Laboratory by a local agency, the Case Agent must notify the appropriate Bureau Laboratory in writing to have his/her file number added to the Form SBI-5 and/or laboratory report.

An E-Mail or DCI message directed to the PC Workstation located in the Evidence Control Unit of the appropriate Bureau Laboratory will suffice.

1. The DCI TID for the Evidence Control Unit located in the Bureau Crime Laboratory at SBI Headquarters in Raleigh is BIA1.
2. The DCI TID for the Western Crime Laboratory in Asheville is BIA15.

RELEASE OF EVIDENCE FOR COURT PURPOSES

- A. It will be the responsibility of the Case Agent to obtain all evidence submitted to a Bureau Laboratory prior to the need of such evidence in court or other purposes.
- B. Any Agent receiving evidence will ensure that the container and seals have not been tampered with when the evidence is in a sealed container. When any Agent receives a sealed evidence container and subsequently opens the container, the Agent will immediately report to his/her Special Agent in Charge if there are any discrepancies in the contents of the package.
- C. If evidence is introduced into evidence and retained by the Court, the Agent in control of the evidence will complete Section 1, Receipt, of a Form SBI-69B. The Agent will have the courtroom clerk, prosecutor, or other courtroom official witness the receipt as having received the evidence. Should they refuse to sign, the

SUBJECT: FIELD PHYSICAL EVIDENCE

Agent will put "Refused to Sign" and the name of the person who refused.

EVIDENCE ACCOUNTABILITY AND INVENTORY

- A. An unannounced evidence inspection will be conducted in each District/Section/Unit if applicable. The Special Agent in Charge or Assistant Special Agent in Charge will conduct the inspection and inventory of all evidence of each assigned Agent. The inspection shall be conducted during the first six months of each calendar year.

The evidence inspection can be accomplished by the Case Agent and the inspector by:

1. The Case Agent actually producing the evidence;
 2. The Case Agent providing a Form SBI-69B receipt or record of destruction;
 3. The Case Agent providing a laboratory submission form (SBI-5) with signed receipt or other type record reflecting receipt by the laboratory; or
 4. The Case Agent producing a laboratory report and sealed evidence package.
 5. The inspector shall check all evidence and record the findings for each Agent utilizing a Form SBI 69-D. Cases without physical evidence will be so noted at the time of the inspection. Closed cases with the evidence retained shall be checked and the white original copy of the Form SBI-69A initialed. All original Form SBI-69A(s) will be initialed and dated by the inspector at the time of the inspection. Any discrepancies shall be reported immediately to the Special Agent in Charge who will report to the appropriate Assistant Director.
- B. At least once each quarter, the Special Agent in Charge or designee will conduct an inspection to determine adherence to evidence handling procedures utilizing the check list provided by the Office of Professional Standards. The inspection should determine:
1. That the storage area is being maintained in a clean and orderly fashion;

SUBJECT: FIELD PHYSICAL EVIDENCE

2. That the integrity of the evidence is being maintained;
 3. Applicable evidence handling procedures are being followed;
 4. All evidence is being protected from damage or deterioration;
 5. That proper accountability procedures are being maintained; and
 6. Evidence having no further evidentiary value is being disposed of promptly.
- C. A record of each inspection will be maintained on file within each District/Section/Unit.
- D. There will be an annual accountability inspection of Bureau evidence in each District/Section/Unit. This inspection will be conducted during the second six months of each year by inspectors selected by the Director who are not connected to the control of the evidence.
- E. Unannounced inspections of evidence and evidence storage areas may be made at any time.

DISPOSITION OF EVIDENCE

- A. The Case Agent will be responsible for the disposition of all evidence coming into his/her possession. The final disposition of evidentiary property will be accomplished within six months after all legal requirements have been satisfied.
- B. The Case Agent will also be responsible for the final disposition of any evidence to be returned to or turned over to the Bureau.
- C. Upon a final report submission, one of the following actions will be taken in regards to all evidence in the possession of a Agent:
1. Return to the lawful owner;

SUBJECT: FIELD PHYSICAL EVIDENCE

2. Transfer to the local agency which the Bureau assisted in the case;
3. Forfeited, if a court order or statute so authorizes;
4. Destruction, disposition, released or transferred pursuant to an order of a court or other lawful authority;
5. Controlled substances will be disposed of by complete destruction. Controlled substances not introduced as evidence or not disposed of by other lawful authority shall be destroyed after all appeals have expired or it has been determined prosecution is not possible and the evidence has no further value to any enforcement agency in a related investigation. Disposition authority will be approved by the SAC or a Assistant Special Agent in Charge on SBI form 69B and the disposition witnessed by a sworn agent.
6. Retain for possible future court action if approved by the Special Agent in Charge or Assistant Special Agent in Charge;
7. Other lawful disposition on the authority of the District Attorney; or
8. Other lawful disposition on the authority of the Special Agent in Charge or Assistant Special Agent in Charge.
9. Declaration as records by the Special Agent in Charge or Assistant Special Agent in Charge and subsequent transfer to the Records Center.
10. Child pornography in any form will be disposed of by complete and total destruction. This may include formatting, wiping, or the use of other commands or software to remove images from computer hard drives or other digital media where it is not prudent that the storage media be physically destroyed.

SUBJECT: FIELD PHYSICAL EVIDENCE

LATENT PRINT EXAMINATION OF ITEMS CONTAINING SUSPECTED CONTROLLED SUBSTANCES

If items containing suspected controlled substances are to be submitted to the laboratory for latent prints examination, the suspected controlled substance shall be separated from the item to be examined for latent prints prior to submission to the laboratory.

FINGERPRINT EVIDENCE

All forms of fingerprints/palmprints collected for laboratory analysis should be handled as evidence. This includes latent print lifts, inked impressions of suspects and victims or other individuals to be eliminated and all "major case prints."

SBI EVIDENCE MANUAL

Collection and packaging guidelines outlined in the SBI Evidence Manual should be followed for all evidence submitted to a Bureau Laboratory by an Agent. A copy of the SBI Evidence Manual will be maintained in each District Office.

SUBMISSIONS OF CANNABIS SAMPLES IN THE DOMESTIC CANNABIS ERADICATION AND SUPPRESSION PROGRAM

Under Agreement Number 99-69, the SBI participates in a program with the Drug Enforcement Administration (DEA) of the U.S. Department of Justice in a program to locate and eradicate illicit cannabis plants (known in the SBI as the Marijuana Eradication Program). Under this agreement, the SBI has made a commitment to send required sample of eradicated marijuana to the National Institute of Drug Abuse (NIDA) Cannabis Potency Monitoring Program.

- A. Samples obtained for submission to the National Institute of Drug Abuse (NIDA) Cannabis Potency Monitoring Program are not evidence and are exempt from SBI evidence handling procedures.
- B. Through the Marijuana Eradication Coordinator, each Field District will submit samples of domestic marijuana seized within the District for chemical analysis. The samples shall be submitted in the manner prescribed by the NIDA University of Mississippi Cannabis Potency Monitoring Project.

SUBJECT: FIELD PHYSICAL EVIDENCE

1. The samples should be a relative sample of material. Overall weight should be approximately 25 grams (one handful).
 2. The sample should be air-dried and packaged in a sealed breathable bag, i.e., a paper bag with holes for air circulation.
 3. Each bag will be clearly marked with the agency case number, county of seizure, date of seizure, latitude and longitude of the seizure location, and other descriptive information required on the NIDA sample submission form.
- C. The Marijuana Eradication Coordinator for each District shall secure these samples in his/her evidence storage container at the District Office until submission to the NIDA Laboratory is completed.
- D. The District Coordinator shall submit the samples to the NIDA Laboratory by first class mail or by other methods as arranged with the NIDA Laboratory. The Marijuana Eradication Coordinator will maintain such records necessary to document the samples and submission.
- E. The report(s) of the analysis will be sent to and maintained by the Special Agent in Charge/Chief Pilot.