Change Notice No. 1.2
IACLEA Accreditation Standards Manual
Issued August 2014

Background

This is the second change notice to the *IACLEA Accreditation Standards Manual* (1st Edition), which was published in July 2012. Change notices shall be numbered by edition number, followed by a decimal point and the sequential number of the change to that edition. Change notices are an essential component of the standards for campus public safety agencies. They help ensure these standards continue to reflect the best and most up-to-date information the profession can offer.

Standard Amendments and Other Revisions Accompanying this Change Notice

Standard 7.1.7, revised;
Standard 9.1.7, new;
Standard 9.2.10, new;
Standard 14.1.5, revised;
Standard 15.1.1, new;
Standard 15.1.2, renumbered; revised;
Standard 15.1.3, renumbered; revised;
Standard 15.1.4, renumbered;
Standard 15.1.5, renumbered
Standard 15.1.6, renumbered
Standard 15.1.7, renumbered; revised;
Standard 15.1.8, renumbered
Glossary, revised; new terms.

Instructions

Agencies must be in compliance within one year.

7.1.7 Removal from Duty

A written directive requires that any ~~personnel whose actions~~officer whose use of force results in serious physical harm, as defined by the agency, or death to another be reassigned from regular duties pending a documented administrative review of the matter.

Commentary: None.

9.1.7 Use of Audio/Video Recorders

If the agency utilizes wearable or in-car audio/video recording systems, a written directive addresses:

a. Those circumstances when the system may or must be activated;
b. Permissible access and distribution of audio/visual data; and
c. Storage and data retention requirements.

Commentary: Audio/visual recording systems for use in patrol work may take the form of in-car video or body mounted cameras. When used properly, these systems enhance accountability and protect the officer and the agency from allegations of misconduct. Agencies would be well served to review current research and governmental reports on the use of audio/video recorders in patrol operations. These publications provide well rounded perspectives on the logistical, ethical, psychosocial, and legal perspectives on the use of these devices.

Policies and procedures should mandate the circumstances when the system must be activated as well as those times when the system is not permitted to be activated. Employees should receive training on the technical workings of the equipment, as well as mandated and prohibited periods of use. Agencies should also review state statutes regarding expectation of privacy as well as the electronic interception of voice recording by both sworn and non-sworn agencies. The agency's policy should also contemplate whether data will be released for institutional student and employee disciplinary proceedings.

This standard is intended to address audio/visual systems used in field or patrol operations and does not address audio or visual recordings obtained during undercover operations, to monitor holding facilities, or that are used to record interviews with subjects.

9.2.10 Procedures – Consular Notification and Access

A written directive establishes procedures for sworn agencies to comply with consular notification and access requirements in the event of the arrest or detention of foreign nationals.

Commentary: If a foreign national is arrested or detained in the United States, they must be informed of their right to have their country's embassy or consulate notified, and officials from the embassy or consulate must be allowed access to them upon request. In some cases, the foreign embassy must be notified regardless of the individual's wishes.

These are mutual obligations that also apply to foreign authorities when they arrest or detain U.S. citizens abroad.

Agencies in the United States can obtain relevant information and detailed guidance by consulting the U.S. State Department's publication entitled *Consular Notification and Access*, available on their website at http://travel.state.gov/law/consular/consular_753.html. Agencies outside the United States should contact their equivalent governmental office for information and reference material.

14.1.5 Procedures – Seizing Computers (E)

If agency personnel perform evidence collection, the agency has a written directive specifying those procedures involving the collection, processing, and preservation of computer equipment seized as evidence, as well as other devices capable of storing electronic data.

Commentary: Electronic devices capable of storing data are extremely prone to damage from such things as electrostatic discharge. Improper care of such devices can cause damage, rendering them useless. Agencies should have procedures for field personnel in the collection, transportation and preservation of electronic storage devices, as well as trained personnel in the extraction and analysis of data stored on such devices seized as evidence. Agencies should also make electrostatic shielding bags or containers available for the safe storage of electronic devices. Both field personnel and investigators should be familiar with the proper legal precedent for the search and seizure of such evidence.

15 – Property and Evidence Control

15.1 Property and Evidence Control

15.1.1 Property/Evidence Management

The agency identifies property/evidence custodian(s) responsible for the management of the storage facility and its contents and provides appropriate training to those designees.

Commentary: Because of the importance of the evidence/property function, personnel assigned to this function should be identified by job classification, with clear qualifications, skills, and duties. It is suggested that the chain of command, from the Evidence/Property Technician to the agency head, be clearly identified. Whenever possible, the chain of command should be shortened or flattened allowing the agency head to have the most direct access to the evidence and property function.

The evidence/property function should be identified in the organizational chart and separated from operational units. This separation eliminates the potential conflict of interest between the personnel who collect evidence or property and those who are charged with the responsibility of storing the evidence and property.

Due to the technical expertise required and to better manage agency risk and reduce liability, all evidence/property personnel should complete an introductory program of instruction in Evidence and Property Management, as well as continuing education and training through organizations such as their state Police Officer Standards and Training (POST) organization or the International Association for Property and Evidence (IAPE).

15.1.~~1~~2 Receipt of Property/Evidence

The agency has a written directive establishing continuous security measures and procedures for receiving all in-custody and evidentiary property obtained by employees into agency control, to include:

a. *Logging all property into agency records prior to the end of the employee's shift or under exceptional circumstances as defined by agency policy;*
b. *Placing property in the appropriate property storage area prior to the end of the employee's shift or under exceptional circumstances as defined by agency policy;*
c. *A written report describing each item of property and the circumstances by which the property came into the agency's possession;*
d. *Guidelines for packaging and labeling of property being stored by the agency prior to submission;*
e. *Special security and control measures in handling and/or storing exceptional, valuable, or sensitive items of property (i.e., money/negotiable instruments, high value items, weapons, drugs) while in custody of the agency;*
f. *Procedures describing what efforts agency personnel should make to identify and notify the owner of property in the agency's custody; and*
g. *Procedures for the temporary and final release of property items from the property and/or evidence control functions.*

Commentary: An adequate property management system is necessary to protect the chain of custody and to maintain the agency's credibility with the judiciary and the public. The agency

should establish specific controls and ensure strict adherence to all of its policies and procedures governing in-custody and evidentiary property. All evidentiary and property items coming into an employee's possession should be entered into the agency's property management control system prior to the end of the employee's shift. A descriptive inventory of the property should be documented and all property entered uniformly into storage.

Responsibility and methods in the preparation, labeling, and recording of property should be established. Detailed instructions and guidelines for the proper packaging and storage of each kind of property, should be available to staff. These instructions and guidelines may be made available in a separate manual.

Items such as money, firearms and controlled substances pose significant security risks for public safety agencies. Placing these items on a shelf in the property room is not sufficient. Additional measures to provide enhanced security within the property room may include the use of a safe, the use of a lock and chain to secure firearms, and/or the installation of a floor to ceiling chain link fence. Controlled substances should be packaged in tamper-resistant packaging whenever they are received by, released by, or returned to the property custodian. All containers and packages containing controlled substances should be inspected for tampering as a safeguard against substitution.

Perishable items, such as biological samples, may need to be secured in refrigerated containers. All procedures developed should conform to occupational health and safety standards. The National Institute of Standards and Technology (NIST) and the Department of Justice's National Institute of Justice (NIJ) has published a handbook that provides forensic laboratories, law enforcement agencies and the judicial system with state-of-the-art guidelines and recommended best practices for preserving biological evidence (http://nvlpubs.nist.gov/nistpubs/ir/2013/NIST.IR.7928.pdf).

Written reports should be submitted for all property taken into custody by agency employees. Property should be listed in the order it was obtained describing the circumstances associated with the custody. Written reports describing the circumstances by which the agency received the property should obviously be more detailed in those cases when the property will be used as evidence, as opposed to when it is merely being held for safekeeping. Case numbers should be used to cross-reference the property with the respective report(s).

Removal of property entered into the agency's custody should be clearly defined within agency's directive system. This includes such activities as court, release, further investigation, or any other official purpose. Written documentation should be required to show the uninterrupted chain of custody until final disposition.

Employees should be prohibited from storing property that came into the employee's or agency's possession within personal lockers, desks, vehicles, homes, or other places as it undermines the security and uninterrupted chain of custody. Personal use of any agency controlled evidence/property should be strictly prohibited.

Evidentiary and stored property should be released back to the owner, if known, as quickly as possible and consistent with applicable law. Reasonable attempts should be made to locate owners of property in agency custody and notify them of its status. . It is recommended that the responsibilities for identifying the property owner, notifying them of the property's location, and releasing the property are prescribed by policy. Each activity may appropriately be undertaken

by the field officer who seized the property, a detective or investigator, the property officer, or other agency employee so long as specific accountability is established.

15.1.~~2~~3 Secure Property/Evidence Storage
The agency shall have a designated, secure storage area for in-custody and evidentiary property that has access limited to authorized personnel.

Commentary: The security of every piece of property that the agency has become responsible for should be a major concern. Special security considerations should be given to items such as firearms, weapons, drugs, money, high value, large, bulky and perishable items. It is very important not to make any assumptions about the security of the areas where evidence is held, and the area should be surveyed regularly for possible improvements. Precautions should also be taken to ensure that only authorized individuals are allowed in the area where property is stored to ensure its chain of custody and prevent the alteration, unauthorized removal, theft, or other compromise to stored property. Anyone not authorized to work in the property and evidence area unattended should have their presence in the area documented through a log book or electronic access record and should be accompanied by a Property and Evidence employee at all times. **(COMPLIANCE MAY BE OBSERVED)**

15.1.~~3~~4 Secure Property/Evidence Temporary Storage
The agency shall have secure area(s) designated for the temporary storage of in-custody or evidentiary property during periods when the property room is closed or not accessible by end of tour of duty.

Commentary: Provisions should be made for the security of every piece of property that comes into the agency's possession when the property room is closed. This can be accomplished through the use of locking temporary property lockers, drop boxes, or specially designed containers. **(COMPLIANCE MAY BE OBSERVED)**

15.1.~~4~~5 Security of Controlled Substances/Weapons
If the agency uses controlled substances, weapons, or explosives for investigative or training purposes, a written directive establishes procedures for their security and accountability.

Commentary: Some agencies may choose to use controlled substances, weapons, or explosives for investigative or training purposes. It is critical that security protocols for every piece of property used in this manner are established to maintain the security and integrity of those items.

15.1.~~5~~6 Property Records System
The agency maintains records showing the status of all found, recovered and evidentiary property maintained by the agency.

Commentary: A records system is fundamental to the integrity and accountability of an agency's property management system. The system should reflect the character, type and amount of property maintained by the agency; property location; dates and times when the property was received, transferred and released (i.e., chain of custody); and final disposition. Bar-coding has

become a popular property management system. Many computer-aided dispatch (CAD) systems have an integrated property management component.

15.1.~~6~~7 Audit and Inspections (time sensitive)

A written directive states that property custodians are accountable for all property within their control and addresses at a minimum.

a. *At least semi-annually, the person responsible for the property and evidence control function, or his or her designee, conducts an inspection of the property room for adherence to policies and procedures used for the control of property and evidence;*
b. *Whenever the primary property custodian is assigned to and/or transferred from the property and evidence control function, an inventory of the property room is conducted jointly by the newly designated primary property custodian and a designee of the agency's chief executive officer, to ensure that records are correct and properly annotated;*
c. *An annual audit of property and evidence held by the agency is conducted by an employee not routinely or directly connected with property control; and*
d. *At least once a year, the agency's chief executive officer directs the completion of an unannounced inspection of all property storage areas.*

Commentary: The inspection is conducted to determine that the property room is being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that provisions of agency orders or other directives concerning the property management system are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained and that property no longer needed is being disposed of promptly.

The purpose of the inventory is to ensure the continuity of custody and not to require the accounting of every single item of property. The inventory should be sufficient to ensure the integrity of the system and the accountability of the property. During the joint inventory, a sufficient number of property records should be reviewed carefully with respect to proper documentation and accountability. The person assuming custody of the property should ensure that all records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property accountability by the newly appointed custodian.

The annual audit should be a random sampling of property to satisfy the auditor that policies and procedures are being followed. The person named to conduct the inventory should be appointed by the agency's chief executive officer. Under no circumstances should that inspector be appointed by supervisory or command officers having the property function under their control.

15.1.~~7~~8 Timely Disposition of Property (E)

Final disposition is completed within twelve months after legal requirements have been met for all found, recovered and evidentiary property maintained by the agency.

Commentary: Documented procedures should ensure that property is disposed of or released in a timely fashion. Whenever possible, found property or evidentiary items should be returned to the owners if known. In those cases where the owner is not known and steps cannot be taken to return it to the rightful owner, procedures should be in effect that describe how and when property will be disposed of. These procedures will help ensure that there is enough room to

store new evidence and found property that comes into the agency as well as not to deprive the owner of his/her property any longer than is necessary. Release of property shall conform to applicable state statutes and/or city and county ordinances.

Glossary

AUDIT
The methodical examination and review of a random sampling of records, items or activities, but no less than ten percent, to ensure compliance with established controls, policies and operational procedures, and to recommend any ~~indicated~~necessary changes. An audit may also be used to update agency policies and procedures to known or emerging best practices.

INVENTORY
A detailed, itemized often descriptive, list or report, recording the items in one's possession or the process of making such a list or report.

SECURITY SURVEY
A thorough physical assessment of a facility and/or its operation to examine the risks that assets are exposed to and review the measures that are in place to enhance safety, protect property and mitigate risk and liability. A survey is conducted to identify vulnerabilities and make recommendations on how these risks may be minimized or eliminated.