



**Court Services and Offender Supervision Agency
for the District of Columbia**

POLICY STATEMENT

Policy Statement 5801

Policy Area: Security

DRAFT: December 18, 2002

Approved: *Paul A. Quander, Jr.*
Paul A. Quander, Jr., Director

Susan W. Shaffer
Susan W. Shaffer, PSA Director

CONTRABAND AND EVIDENCE CONTROL

I. COVERAGE

The policy and procedures in this document apply to all employees, contractors, consultants, and others associated with the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA) and the District of Columbia Pretrial Services Agency (PSA), hereinafter the Agency. Agency staff with specific responsibilities under this Policy Statement include supervisors and managers, the Director, Office of Security and the Director, Office of Professional Responsibility (OPR). In addition, all Agency staff are responsible for reporting the discovery of contraband to Building Security, as well as reporting any incident or condition contrary to these requirements to their supervisor, who in turn will contact the Office of Security.

II. BACKGROUND

The Agency is responsible for providing a safe and secure work environment and does not tolerate the introduction, use and/or movement of contraband within the workplace. Currently, the Metropolitan Police Department (MPD) is contacted whenever contraband is confiscated, discovered or brought to the attention of a Security Officer at an Agency-controlled facility. Generally, the MPD takes possession of the item(s) for final disposition. However, the Agency requires policy and procedures to ensure that any confiscated or discovered contraband and evidence seized at the workplace is properly secured from theft, loss, or contamination, is accounted for through a chain of custody, and can be located in a timely manner. The Office of Security is responsible for developing this policy.

III. POLICY

It is the policy of the Agency to provide for a safe and secure work environment and to seek prosecution of crimes committed on Agency-owned or controlled property. Uniformed Security

Officers shall monitor the primary entryways of Agency-controlled facilities to ensure appropriate access is granted and to prevent the introduction of weapons or other items that could be used as weapons. The introduction of such items is a crime, and in some instances, crime scenes and evidence must be preserved to ensure the integrity of evidence in order to have a successful investigation and subsequent prosecution. In addition, any Agency employee who introduces contraband into an Agency workplace is subject to disciplinary action up to and including removal from the Agency.

IV. AUTHORITIES, SUPERSEDURES, REFERENCES, AND ATTACHMENTS

A. Authorities.

1. 18 U.S.C. § 930(d), Crimes and Criminal Procedure
2. District of Columbia Official Code, Title 22, Division IV, Criminal Law and Procedure and Prisoners

B. Supersedures.

None

C. Procedural References.

None

D. Attachments.

Appendix A. General Procedures

Appendix B. Contraband/Evidence Tag and Chain of Custody

APPENDIX A

GENERAL PROCEDURES

A. Definitions

1. Agency-Controlled Facility. A facility where the Security Officers are under contract to the Agency and control access to the facility (e.g., 25 K St.; 401 New York Ave.; 633 Indiana Ave.; 1230 Taylor St.; 1418 Good Hope Rd.; 3850 South Capitol St.; Karrick Hall).
2. Chain of Custody. The continuity of the custody of physical evidence from the time of original collection until final disposal.
3. Contraband. Any item or substance not authorized for possession by an employee of the Agency or not allowed by law by any person. Examples of contraband include, but are not limited to dangerous weapons, illegal drugs or drug paraphernalia.
4. Dangerous Weapon. A weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length. Examples of dangerous weapons include, but are not limited to firearms, explosives, blackjacks, metal knuckles, switchblade knife of any length or a knife with a blade longer than two and one-half (2½ inches).
5. Evidence. Any physical item, including contraband, serving as proof to establish that a crime has been committed and that could aid in solving a crime.
6. Employees. Includes Agency employees and interns.
7. Non-Agency Facility. A facility where the Agency is a building tenant and the Security Officers are not under contract to the Agency (e.g., 300 Indiana Ave.; 500 Indiana Ave.; 808 17th St.; 1707 Kalorama Rd; 800 North Capitol Street.)
8. Visitors. Offenders, defendants, and any other person on Agency property who is not employed by the Agency are all considered to be visitors for the purposes of this Policy Statement.

B. Preventive Security

1. Upon entry into an Agency-controlled facility, each visitor is screened to detect for weapons and/or dangerous items.
2. Prior to permitting a visitor to proceed beyond the security desk of any Agency-controlled facility, the Security Officer will ensure that the visitor does not possess any item that is prohibited by 18 U.S.C. § 930, such as a firearm or other dangerous weapon.
3. If a Security Officer finds an individual in the possession of any firearm, explosive, blackjack, slingshot, sand club, sandbag, switchblade knife, metal knuckles or any other contraband item such as illegal drugs or drug paraphernalia, the Security Officer will detain the individual and immediately contact the MPD. The Security Officer will also immediately report the incident to an on-site Agency Supervisor and the Office of Security at 220-5725. The report shall include the type of item confiscated, the name of the individual detained and the name of the employee the detained individual intended to visit. The Security Officer will use latex gloves to place the item into a plastic bag and initiate the Contraband/Evidence Tag and Chain of Custody (CETCOC) form (Attached). When the item is turned over to the MPD, the Security Officer will indicate how the item came to be confiscated and that the item is potential evidence. The Security Officer will also have the MPD Officer sign the CETCOC form as a receipt and the form will be complete.
4. Should the Security Officer discover a suspected explosive item, the Designated Official or alternate for the building will be contacted and a decision to evacuate the building will be made, and if necessary, the Occupant Emergency Plan for that building will be implemented.
5. The Security Officer will make a brief entry in the Daily Operational Log regarding the incident. In addition, a detailed incident report will be completed and forwarded to the Office of Security. Attached to the incident report will be the completed CETCOC form.
6. The Office of Security will provide OPR with a copy of all information, including the CETCOC form, incident report, and the MPD report control number.

C. Discovery of Contraband in an Agency-Controlled Facility

1. Should an employee find contraband in an Agency-controlled facility, the employee will notify a Security Officer without leaving the scene. It is crucial to prevent anyone from inadvertently touching, moving or disturbing the item, because the item is now considered to be evidence; therefore, the employee may need to ask someone in the immediate area to contact a Security Officer. Except in cases where the item could cause injury or further jeopardize the security of the facility, contraband items located within the area will not be moved (NOTE: If an item must be handled or moved, the Security Officer will use latex gloves and place the item in a plastic bag and initiate a CETCOC form). The Security Officer

will take action to secure the area, as well as immediately notify the MPD and Office of Security. The Office of Security will contact and report the incident to the OPR. The employee discovering the item will notify a supervisor who will contact the Branch Chief. The OPR will make arrangements to interview the employee who discovered the contraband and any other witnesses.

2. When the item is turned over to the MPD, the Security Officer will indicate how and by whom the item was found, as well as any other information requested by the MPD, and that the item(s) is being turned over to the MPD as potential evidence. The Security Officer will have the MPD Officer sign the CETCOC form as a receipt and the form will be complete.
3. The Security Officer will make a brief entry in the Daily Operational Log indicating the item of contraband discovered, as well as the name of the individual who discovered the item. The Security Officer will also complete a detailed incident report outlining the details of the discovery through the sign over of the item to the MPD and forward the report, as well as the CETCOC form, to the Office of Security.
4. The Office of Security will provide OPR with a copy of all information, including the CETCOC form, incident report, and the MPD report control number.

D. Discovery of Contraband in a Non-Agency-Controlled Facility

1. Should an employee find contraband in a work area that is not within an Agency-controlled facility, the employee will contact Building Security without leaving the scene. In order to prevent anyone from inadvertently touching, moving or disturbing the item, the employee may need to ask someone in the immediate area to contact Building Security. When Building Security arrives, the employee should report the circumstances that led up to the discovery and then follow their instructions. In addition, the employee will notify a supervisor who will then contact the OPR and the Office of Security. The OPR will make arrangements to interview the employee who discovered the contraband and any other witnesses.
2. Should the OPR require support in obtaining reports that may have been generated by the major tenant or lessor of the non-Agency-controlled facility, the Office of Security will provide the necessary assistance in obtaining these reports for the OPR.

E. Report of Investigation

Should the OPR determine that a formal inquiry or investigation is required, an OPR representative will coordinate with the agencies and/or individuals involved in order to conduct interviews, gather information, review documents, view or if necessary photograph/copy evidence and prepare a report for the Deputy Director and, for incidents involving PSA staff, to the Deputy Director of PSA.

F. Chain of Custody

1. Each person who has been in possession of evidence and is listed on the CETCOC form as having control, may be subject to subpoena to testify in court regarding their possession of that evidence. For that reason and to prevent potential contamination of any evidence, items found within the workplace as described in paragraph C above will only be moved by the MPD or as otherwise directed by the OPR or the Office of Security.

2. The Security Officer will generally initiate the CETCOC form and be the person responsible for monitoring, packaging and turning over to the MPD.

3. Because the CETCOC form itself may be called as evidence, it must be properly completed. The document must contain a detailed description of the item in question, the location found or confiscated, as well as the name of the person finding the item and date and time of the discovery. If the item is confiscated from an individual, that individual must also be listed. In addition, the first person that comes in contact with the item and has physical control over the item will be listed as the first person in the "relinquished by" column. Should more individuals be in possession of the item than allowed for on the form, a second form will be used.

Example: At 9:05 a.m. on Nov. 15, 2002, CSO John Jones discovers a hypodermic needle in the drug collection area. CSO Jones contacts the Security Officer, Sergeant Joe Friday, who takes necessary actions to protect the area, contact MPD and initiate the CETCOC. At 9:30 a.m. Lieutenant Dan Steele, MPD, arrives and takes possession of the hypodermic needle and signs for the item on the CETCOC. The Chain of Custody portion of the form would be reflected as follows:

Relinquished By	Received By	Date and Time
Printed Name: John Jones Agency: CSOSA Signature: <i>John Jones</i>	Printed Name: Joe Friday Agency: Wackenhut Security Officer Signature: <i>Joe Friday</i>	Date: Nov 15, 2002 Time: 9:05am
Printed Name: Joe Friday Agency: Wackenhut Security Officer Signature: <i>Joe Friday</i>	Printed Name: Lt Dan Steele Agency: MPD, 4 th District Signature: <i>Dan Steele</i>	Date: Nov 15, 2002 Time: 9:30am
Printed Name: Agency: Signature:	Printed Name: Agency: Signature:	Date: Time:

G. Contraband/Evidence Handling

In most cases, contraband and/or evidence will be turned over to the MPD. If an item must be moved or handled, it will be done so in a manner that will, to the highest extent possible, protect against loss of fingerprints or other trace evidence (e.g., hairs or fibers). The Security Officers at each Agency controlled facility, as well as the Branch Chief or other Supervisor at non-Agency-controlled facilities will be issued latex gloves, plastic bags and evidence tape to seal the plastic bag and syringe protection tubes should it become necessary to handle or move evidence. Should items be used and/or require replacement, the Office of Security must be notified.

H. Contraband/Evidence Record

The Office of Security will maintain a master logbook of all contraband and evidence items. Each entry will contain the date and time the item was confiscated or discovered, name and title of person confiscating or discovering the contraband, a description of the item, the name and title of person transferring the item to MPD and the date and time this transaction occurred. In addition, any final disposition information, when received from the OPR, will also be entered into the logbook.

I. Storage of Evidence

Unless otherwise directed by the OPR or the Office of Security, all evidence will be turned over to the MPD. If for some reason, the MPD cannot assume custody of the evidence when contacted, the Office of Security will be contacted to make arrangements for the storage of the evidence in an area accessible only to authorized Office of Security personnel.

J. Notification for Disposition of Contraband/Evidence

In most cases, contraband and/or evidence will be turned over to the MPD. Nevertheless, the OPR is responsible for conducting the requisite investigation, and must be provided with a copy of all information, including incident reports, MPD control reports, the CETCOC and any other supporting documentation. Because the OPR may require additional information from the MPD regarding the contraband and/or evidence, the OPR will be the final authority to contact the MPD to authorize final disposition of the item(s). When the OPR contacts the MPD to authorize final disposition, a record will be made of who contacted the MPD and who at the MPD received the instruction, as well as the date and time of the instruction. This information will be passed to the Office of Security to complete the logbook entry.

K. Additional Notifications

The Office of Security, when notified or alerted to any items that would be considered illegal, dangerous or present a safety concern to Community Supervision Officers, Pretrial Supervision Officers or Agency Security Officers, will send notification to the Security Officers at our Agency-controlled facilities and the following Offices:

- a. Deputy Director, CSOSA
- b. Director of Finance and Administration, PSA
- c. Associate Director, Community Supervision Services (CSS)
- d. Associate Director, Management and Administration
- e. Director of Operations, PSA
- f. Court Security Officers at the U.S. District Courts
- g. Justice Protective Control Center at the Department of Justice
- h. U.S. Marshals Operations Center at the U.S. Attorney's Office

The above Offices are responsible for reviewing the information and forwarding it to required subordinate offices and/or staff.

APPENDIX B



**Court Services and Offender Supervision Agency
for the District of Columbia**

CONTRABAND/EVIDENCE TAG AND CHAIN OF CUSTODY

This form is to be used to record and describe contraband and evidence, as well as provide for a chain of custody for these items.

ITEM DESCRIPTION AND RELATED INFORMATION

Description of Item: _____

Location Found/Confiscated: _____
(Room Number or Area)

By: _____ Date/Time: _____
(Name of Person Finding or Confiscating)

From Whom: _____
(Name of Person Item Confiscated From – If applicable)

CHAIN OF CUSTODY

This chain of custody is used for the item described above.

Relinquished By	Received By	Date and Time
Printed Name:	Printed Name:	Date:
Agency:	Agency:	Time:
Signature:	Signature:	
Printed Name:	Printed Name:	Date:
Agency:	Agency:	Time:
Signature:	Signature:	
Printed Name:	Printed Name:	Date:
Agency:	Agency:	Time:
Signature:	Signature:	