



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	February 27, 2015	400.01	February 13, 2015
SUBJECT TITLE		SUBJECT AREA	
COMMUNICATIONS		COMMUNICATIONS	
CALEA REFERENCE		PREVIOUSLY ISSUED DATES	
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DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL PERSONNEL	AS NECESSARY	8	

## COMMUNICATIONS

### I. PURPOSE

To establish the authority and responsibility of personnel assigned to the Communications Division.

To provide guidelines to department personnel on radio operations and communications center procedures.

To provide documentation on the operations and activities of the dispatch center and provide information on resources available to communications personnel.

To outline an incident reporting system to be used by communications personnel and provide a method of tracking and reporting officer status.

### II. POLICY

Department personnel shall utilize the police radio system only for the transmission of department information and in accordance with FCC regulations. The Administrative Computer Services Officer will maintain a copy of the FCC Code of Regulations and insure compliance. Messages should be kept professional, concise and as complete as possible. The basic function of the communications center is to satisfy the immediate information needs of the police department during its normal daily activities and during emergencies. Department personnel will not misuse or disrupt the radio system by transmitting unauthorized or unprofessional messages. The department will maintain a comprehensive reporting system to record police requests for service. Part of that system will include the

continual monitoring of the status of field units to ensure both officer safety and prompt delivery of police services to the public.

### **III. PROCEDURE**

#### **A. Authority and Responsibility**

1. The North Kingstown Police Department provides toll-free telephone access, (within the Town of North Kingstown), twenty-four (24) hours a day. In addition to the 294-3311 for emergencies and 294-3316 for non-emergencies the department participates in the 911 emergency system and maintains three 911 emergency lines. If a call is determined to be from a Telecommunications Device for the Deaf (TDD) system, the call will be forwarded to 911 Operations for service. The basic functions of the communications unit include: answering calls for service, dispatch and monitoring of police, reception and coordination of radio traffic, monitoring inter-city broadcasts, facilitating communication with other agencies, recording of incident data, the transmission and reception of data from RILETS, NCIC, BCI, etc, and monitoring of prisoners in the cell block area and any other such duties assigned by the Chief.
2. The Communications unit is responsible for the reception, coordination, and dispatching of radio traffic 24 hours a day.
3. Communications Center Personnel have the authority to use any available officer, regardless of beat or assignment, to meet the primary objective of the rapid delivery of emergency services. This is based on the premise that the dispatcher is in the best position to make an immediate determination of officer availability, the seriousness of the call and the number of officers to be dispatched.
4. Geographic beats are to be respected as long as they do not hinder service response in emergency situations.
5. If the OIC determines that a patrol supervisor is required at the scene, or on-scene personnel request a supervisor, Communications Personnel will immediately direct a supervisor to respond to the scene (ex. accidents involving police vehicles, major crime scenes, etc.).
6. The foregoing is not intended to prevent or interfere with the authority and responsibilities of the Officer-in-Charge, (OIC). The OIC will have the final determination of which and how many officers respond to a call. The OIC is the immediate supervisor of the communications center personnel and is responsible for overseeing the operations of the communications center.

#### **B. Radio Protocol**

False calls, fraudulent distress signals, superfluous communications systems and obscene, indecent and/or profane language are specifically prohibited.

1. When a department vehicle is being operated by an authorized person and is equipped with a police radio, the operator shall be sure that the radio is in working order and shall monitor the radio while in the patrol vehicle.
2. The receiving parties shall acknowledge messages verbally using proper code.
3. When using the radio, use clear distinct language and keep transmissions short and informative. Be concise and impersonal. Do not mumble or shout. Proper codes will be used during routine, officer safety and certain investigative type police communications. (See Appendix A)
4. Do not transmit when dispatch advises due to interference with other units that you cannot hear.
5. Department issued portable radios shall be kept in good working order. Report any defective equipment. A current list of all department radios shall be maintained by the Administrative Computer Services Officer.
6. The phonetic alphabet shall be used to spell out unusual names, locations or letters on registration plates. The names used after each letter have been found to be understandable over the radio. They should be given as "A-Alpha, B-Bravo", not as "A-as in Alpha, B-as in Bravo". (See Appendix A)
7. Officers/Dispatchers shall give numbers in groups of three. Example: A VIN 276890009877 should be given as 276-890-009-887.
8. Officers/Dispatchers will not use words or voice inflections, which reflect or indicate irritation or sarcasm.
9. Do not transmit any false or misleading messages over the radio system.
10. Do not use superfluous or redundant words with a code. Jargon such as citizens band language or television/street lingo should not be used.
11. When communicating with another agency via the radio, officers/dispatchers shall use plain English as opposed to codes.
12. Department owned and leased radios will be issued only to officers who require such equipment for the performance of their duties.
13. No Radio will be issued without the express permission of the Chief of Police.
14. Radios shall never be used for illegal activities.
15. Lost, stolen or damaged radios shall be reported to a supervisor.
16. Officers issued equipment shall be responsible to maintain them in a state of operational readiness.

17. Portable Radios shall not be stored in personal vehicles except while transporting them to and from work.
18. Civilian employees (Animal Warden, CSO, etc.) that also have authority to transmit on department frequencies will also adhere to the same rules and procedures stated within.

### **C. Officers and Dispatchers**

1. Dispatchers and other department personnel using radio communication will strive to adhere to the following protocol:
  - a. When dispatching a single unit call, the dispatcher will call the unit number, wait for the unit to respond, then advise the unit of the location, and the nature of the call. The unit will acknowledge.
  - b. For a two-unit call, the dispatcher will call both units by unit numbers with the primary unit first. When the units acknowledge, (in the order they were called), dispatch will provide them with the location and nature of the call.
  - c. Employees using the radio will refrain from using slang, personal commentary of any type, first names, angry remarks, and any non-official use.
  - d. Dispatchers shall dispatch officers via radio by using a call signal system.
  - e. Dispatchers shall use a response code when dispatching each call. If no code is given the response code shall be Message Three (See General Order 320.10 *Police Vehicle Response*).
  - f. Dispatchers shall use clear and concise information. Do not provide information via radio which is not essential to the officer's safety and the investigation of a crime. If time and circumstances allow, officers/dispatchers should use either the encrypted channel (NKPD Ch. 2) or the MDT to relay information which may be considered sensitive or too lengthy for radio transmission.
  - g. Only call an officer/unit twice. If no reply is received, then wait one minute before calling again. If no response is received at that time, dispatch another vehicle to the units last known location to check the officer's status/wellbeing and notify the OIC.
2. Officers shall reply promptly when they are called over the radio. If after several attempts a unit fails to acknowledge, the dispatcher shall notify the OIC.
3. Requests for emergency assistance shall include the identity of the officer/unit, the location, and type of assistance needed. The dispatcher will acknowledge any officer's request for emergency assistance (including the officer's radio emergency button) and will dispatch the appropriate number of back up units to the officer's location.
4. In emergency situations (i.e. active fires, road hazards, downed wires, etc.) officers may directly request dispatch to notify the appropriate agencies/services (i.e. fire department, public utilities, public works, water department or other correlating agency). Any additional requests such as assistance of detectives, assistance from

outside agencies, BCI, K9 searches, etc. will be relayed through the supervisor and require supervisory permission.

5. Officers assigned to patrol duty are required to carry their portable radio with them, turned on, at all times while on duty, (with the exception of when they are in a patrol car with a radio or inside of the station with the capabilities to hear communications)
6. On-duty non-patrol officers are responsible for maintaining contact with the communications center during their tour of duty.
7. Each officer is assigned a badge number and this number will be used to identify personnel over the radio. Names are to be avoided.
8. Officers initiating traffic stops, field interviews, or checks of disabled or abandoned motor vehicles will inform the communications center prior to the stop. Officers will provide call sign, location, registration plate and brief vehicle description. The dispatcher or officer shall enter the unit number, location, vehicle registration number, and time in the dispatch log/IMC C.A.D.
9. Officers will advise dispatch, via radio, whenever they initiate an action in accordance with department procedures.
10. Officers observing hazards, accidents, crimes or other incidents occurring within town will be reported via the radio.
11. Officers must keep dispatch advised of their availability and activity at all times.
12. Radio communications must be maintained. Officers will answer radio calls promptly. All transmissions will be acknowledged by the receiving party.
14. Whenever on patrol, an officer who is going to be away from his/her vehicle will advise dispatch of the fact that he/she will be on portable radio.
15. When requesting license data or RILETS data, officers must give dispatch the name of the person being checked and his/her date of birth.

#### **D. Initial Incident Recording and Officer Status Tracking**

1. Certain information will be recorded for all requests for police service and self-initiated activity. This information will be entered into the IMC C.A.D. system located in the communications center. This information shall include but not be limited to the following:
  - a. The date and time of the service request.
  - b. The name and address of the complainant (if known).
  - c. The nature of the service request.
  - d. The location of the reported incident.
  - e. The time the request was dispatched and the primary officer assigned.

- f. The identification of all assisting units.
  - g. The time of officer arrival.
  - h. The time the officers returned to service.
  - i. The disposition of the call.
  - j. The IMC C.A.D. system will automatically assign a call number to each call for service.
  - k. Dispatch will assign a case number to officers for arrests, accidents, and incidents when necessary.
  - l. The C.A.D. system will be used to record when officers are out of service and when they return to service.
2. As much relevant information as possible should be obtained by communication center personnel to enhance officer safety and assist officers in anticipating the conditions to be encountered at the scene. Communications personnel should take care to obtain as much relevant information as possible during in-progress or potentially serious incidents and this information should be promptly relayed to responding patrol units.
  3. Communications personnel should determine early in a conversation the location of the incident so that the call can be directed immediately to the appropriate agency, in the event the incident occurred outside of the Town of North Kingstown. In non-emergency, misdirected calls, the caller will be provided with the telephone number of or transferred/routed to the appropriate agency. In the case of misdirected emergency calls, dispatch will contact and notify the appropriate agency. For hang-up emergency calls, an attempt to call back the listed phone number will be done to reconnect with the caller. Assistance from 911 Operations can be utilized as well.
  4. Callers will be informed of the nature of the response by the police department, e.g., immediate response, delayed response, request was forwarded to appropriate agency, etc.

**E. Communications Center Resources**

1. The following information shall be kept in the communications center.
  - a. A current duty roster for all department personnel (IMC).
  - b. IMC officer status indicator including the designated officer-in-charge.
  - c. A current listing of the telephone numbers of all department employees.
  - d. A listing of telephone contact numbers for local police, fire and rescue departments.
  - e. Procedures for contacting animal control, and other agencies that are used to provide service to local citizens, (ex. utility companies, public works, etc.).
  - f. A map of the town including the outline of patrol areas to be used as an aid when needed to determine the proper units to be dispatched.
  - g. Tactical dispatching plans (i.e. bank robbery, critical incident response plan).
  - h. Copy of the department Policy and Procedures Manual.

## **F. Telephone Communications**

Proper application of the following guidelines will allow for telephone conversations to be more pleasant and will ensure that callers are receiving efficient professional service. At all times be professional and control the conversation.

1. Identify yourself and this department upon answering the phone. Example: “North Kingstown Police, Officer Jones, this is a recorded line” speaking clearly and slowly.
2. Dispatchers can use their assigned ID number for identification over the phone.
3. Any employee if asked to identify themselves over the phone will provide their name and rank or position. Badge numbers will be also given if further identification is requested.
4. Be sure to obtain the nature of the call, the location, the caller’s name and phone number. Obtain any other information, which may be needed by the officers responding.
5. Explain what your action will be as the result of the phone call, Example: “I will send an officer to see you at your home”.
6. Explain any delays.
7. Properly log this information into the IMC C.A.D. System.
8. False calls, fraudulent distress signals, superfluous communications and obscene and/or profane language are specifically prohibited.
9. Dispatchers/Officers will not use words or voice inflections which reflect or indicate sarcasm or irritation.
10. Dispatchers/Officers will not provide first aid instruction over the telephone or radio. Personnel will reassure the caller that emergency help is responding to provide care.

## **G. Call Signs**

1. Officers shall use their department badge number as their respective radio call sign.
2. Dispatch will be referred to as “W”.
3. When communicating via radio with other agencies, officers shall identify themselves by department and then badge number.

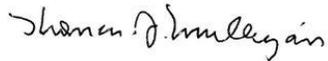
## **H. Emergency Notifications**

1. Delivering of death and/or serious injury notifications will be done in accordance with General Order 510.02 *Death/Life threatening Injury Notification*.
2. The O.I.C will determine which other notifications are “emergency” notifications. The department will make every reasonable effort to assist other law enforcement agencies.
3. Dispatchers should confirm the nature of the message and obtain information necessary to identify and re-contact the person or agency making the request. This information shall be given to the supervisor.
4. The assigned officer will be informed of the reason for the notification.

## **I. Residential and Business Alarms**

1. Private security alarm calls are received from private alarm companies and direct automatic dialers. The department will dispatch an officer to investigate these alarms.
2. A business/residence that generates more than three false alarms (as defined by North Kingstown Municipal Code Article V. Section 15-63(e) within one year may be subject to a fine. Upon receipt of a fourth or fifth false alarm during the calendar year, the alarm user may be assessed a user fee by the chief of police in the amount of \$50.00. Upon receipt of a sixth false alarm during the calendar year and for each subsequent false alarm in the calendar year, the alarm user may be assessed a user fee by the Chief of police in the amount of \$100.00. The fee shall be paid to the Town. Alarms originating from any building owned by any federal, state or local government shall be exempt from the user fee requirement. The determination of whether a particular alarm was false shall be made by the Chief of police.

By Order of:



Thomas J. Mulligan  
Chief of Police



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	12/29/17	400.02	12/15/17
SUBJECT TITLE		SUBJECT AREA	
COMMUNICATIONS SECURITY AND CAPABILITES		COMMUNICATIONS	
RIPAC REFERENCE		PREVIOUSLY ISSUED DATES	
		05-22-2012	
DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL PERSONNEL	AS NECESSARY	3	

## COMMUNICATIONS SECURITY, EQUIPMENT FAILURE AND ALTERNATE DISPATCH AND POWER CAPABILITES

### I. PURPOSE

To provide guidelines for the security of Communications Center personnel and its components.

To outline procedures to be followed if there is a failure or malfunction of telephone, radio or computer components of the communications system.

To outline alternate dispatch and power capabilities of the communications system.

### II. POLICY

The Communications component of the department is essential in providing quick, effective and efficient service to both the civilian population and department employees. Maintaining physical security is an important component of every employee's job responsibility. Proper security measures cover the physical facility as well as authorizing individuals to enter the building. Maintaining communications center equipment at peak operating levels is imperative to the safety of officers and citizens. Malfunctions are to be addressed quickly and effectively. Provisions for alternate power and telecommunications capabilities in the public safety building and at an alternate communications center are in place.

### **III. PROCEDURE**

#### **A. Security**

1. Access to the Communications Center is restricted. Personnel authorized to enter the communications center are.
  - a. On-duty Communications Center personnel.
  - b. On-duty Officer-in-Charge.
  - c. Employees performing desk relief.
  - d. Persons approved by the Chief of Police.
  - e. Outside vendors performing maintenance.
  - f. Employees who have a necessary immediate need to access information in the Communications Center that cannot be obtained by contacting the dispatcher over the intercom or telephone.
2. Protective physical equipment and structures will be provided to the Communications Center.
3. Security measures such as security cameras, fences and other measures for all equipment related to the Communications Center will be utilized.
4. The Communications Center is not to be used for completing reports or personal business of any kind.
5. The doors to the Communications shall remain closed at all times.
6. Officers will not congregate in the Communications Center.
7. All garage doors of the station will be closed when unattended. All radio tower sites will be secure.
8. Visitors to the station will only be allowed to enter by the main entrance. All visitors to the station must check in with the Records Clerk before being allowed to enter the station. Monday – Friday 8:00 AM to 3:30 PM anyone that enters the lobby goes to the Records window. After 3:30 PM the police dispatcher deals with anyone in the lobby seeking police assistance.

#### **B. Alternate Dispatch Center**

1. In the event that the dispatch console is inoperable, portable radios will be used as the alternate dispatch center.
2. In the event both systems in the building are inoperable, or the building is evacuated, The Emergency Operations Center will be determined by the OIC. The duplicated radio and telephone lines will be utilized. Police and 911 emergency lines shall be re-routed this will be determined by the Towns IT department by contacting 911. NK Fire Department, neighboring police agencies, and the RI State Police Wickford Barracks

will be advised by any means available of such loss of communications and seek assistance as needed.

### **C. Alternate Power Source**

1. If there is a loss of commercial power to the building, the emergency power generator will start automatically. The generator will provide power to the building (lights, computers, radio system) until power is restored. Every incident of a loss of commercial power to the building and emergency power is provided the OIC will be notified. The incident will be documented to include the cause if known, date, time and duration.
2. The system automatically tests itself every Monday. The company that services the generator will inspect the generator to insure the generator passed the self-test and provide preventative maintenance. There will also be an annual test of the emergency power generator under a full load and each occurrence will be documented.
3. A company that is available twenty-four hours a day, seven days a week, services the generator. The name of the company and contact number is on the generator itself as well as the emergency contact person which is kept in the Communications Center. A representative of the company provides an annual inspection and maintenance as necessary. The Administrative Services Captain will maintain records of the maintenance to the generator.

By Order of:



Patrick Flanagan  
Chief of Police



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	August 12, 2019	400.03	July 29, 2019
SUBJECT TITLE		SUBJECT AREA	
RECORDING EQUIPMENT		COMMUNICATIONS	
RIPAC REFERENCE		PREVIOUSLY ISSUED DATES	
14.6		5/22/12	
DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL PERSONNEL	AS NECESSARY	2	

## RECORDING EQUIPMENT 24 Hour Audio Recorder

### I. PURPOSE

To provide department personnel with standardized procedures for use of the 24-hour telephone/radio audio recording equipment, and to provide for the protection of confidential information by unauthorized personnel.

### II. POLICY

The telephone/radio audio recorder shall be accessed for professional purposes only, as is set forth in the procedures. The use of the recording equipment for the purposes of eavesdropping is strictly prohibited and may result in disciplinary action. The recorder shall not be tampered with, disconnected or in any way altered which would make the equipment inoperable.

### II. PROCEDURE

#### A. Playback

1. Communications personnel and/or the officer-in-charge of the shift may use the playback feature for the purposes of acquiring or clarifying a recent telephone or radio transmission. Also, it is acceptable to use the playback feature for the purposes of recreating a recent incident where it was not practical or possible to record the details of

the incident in real time. Patrol personnel and civilian employee shall not be allowed to access the recordings, nor request the communications personnel to do so, without the authorization of the officer-in-charge. This does not apply to Patrol personnel who are assigned to work Dispatch.

2. With the authorization of the Chief or the Command Staff the playback feature may be utilized to further criminal investigations, internal affairs investigations, accreditation compliance, training purposes and audits of the department's service delivery system. The re-recording, copying, or seizure of any telephone or radio recording shall not be permitted without the authorization of the Chief or Command Staff.
3. The Prosecutions Secretary upon being notified by court order or discovery requests will seek all requested recordings from the Computer Services Technician and notify the Prosecutions Bureau Supervisor.
4. The Chief of Police and Command Staff will have full access to all archived and currently stored recordings. On-duty communications will have access restricted to 24 hrs. The supervisors will have access restricted to 30 days of recordings.

#### **B. Storage**

1. The recording system hardware will be stored in a secured location and only accessible to officers with the rank of Sergeant and above and the Computer Services Technician.
2. The recording system will be backed up with an external hard drive. All recordings will be stored for a minimum of 30 days.

#### **C. Maintenance**

1. It shall be the responsibility of communications personnel to report any malfunction with the recorder to the officer-in-charge as soon as possible. The officer-in-charge will then contact the Deputy Chief of Police and advise him/her of the malfunction. The Computer Services Technician will then make the decision how to handle the matter.
2. The Computer Services Technician is responsible for the maintenance and servicing of the hardware and software of the recording system and advise the Deputy Chief of all immediate and future needs of the system.

By Order of:



Patrick Flanagan  
Chief of Police



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	April 1, 2014	400.04	March 21, 2014
SUBJECT TITLE		SUBJECT AREA	
RILETS / III TELECOMMUNICATIONS SYSTEM POLICY AND PROCEDURES		COMMUNICATIONS	
CALEA REFERENCE		PREVIOUSLY ISSUED DATES	
		NEW	
DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL PERSONNEL	AS NECESSARY	7	

## TELECOMMUNICATIONS SYSTEM POLICY AND PROCEDURES

### I. PURPOSE:

To provide enhanced security and accountability in the use of the Rhode Island Law Enforcement Telecommunications System (RILETS).

### II. POLICY:

The North Kingstown Police Department recognizes that the Rhode Island Law Enforcement Telecommunications System must be made safe from unauthorized access while ensuring its use for Official Business Only.

### III. DEFINITIONS:

**RILETS:** *Rhode Island Law Enforcement Telecommunications System*

As defined by RIGL 42-28-16, Statewide Police Telecommunications System - The division of State Police is hereby authorized and empowered to provide for the installation, operation, and maintenance of a computerized telecommunications system for the purpose of promptly collecting, exchanging, disseminating, and distributing information relating to police and divisional problems of the state and the several cities and towns.

The system is to be installed, operated, and maintained in accordance with rules and regulations adopted from time to time by the Superintendent of State Police and units thereof located in such state departments and agencies and in such cities and towns as have organized police headquarters and are approved by the superintendent, and may connect directly or indirectly with similar systems in other states. The Superintendent of State Police is authorized to provide for the location of receiving system computer site and to employ the necessary personnel for its operation.

**NCIC:** The *National Crime Information Center* operated by the FBI contains criminal background information on individuals on a national basis.

**III:** The *Interstate Identification Index* operated by the FBI contains criminal history records compiled from 43 participating states.

**Criminal Justice Purposes:** A system of law enforcement that is directly related to an active investigation that is criminal in nature.

**RILETS Coordinator:** A member of the North Kingstown Police Department that is the primary contact person for the Rhode Island State Police Technical Service Unit and is responsible for the integrity, security, and accuracy of the RILETS system.

#### **IV. PROCEDURES:**

##### **A. Logons and Passwords**

1. Every authorized North Kingstown Police employee will be assigned a unique RILETS user identification number and password by the State Police Technical Services Unit. The RILETS user identification number and password must be used to access the system.
2. All authorized RILETS users will log in under their own user identification number and password and will never allow anyone else to use their user identification number.

##### **B. Criminal Record Queries and Interstate Identification Index (III) Queries**

1. Each Criminal Records (QR) and / or Interstate Identification Index (QH) query will include the following mandatory fields:
  - a. Operator Name (Officer or Clerk) / Badge Number
  - b. Case Number / Arrest Number / Complaint Number or Reason / Comments

##### **C. Telephone inquiries from outside Law Enforcement agencies.**

1. Sworn personnel and other authorized RILETS users are prohibited from honoring any telephone requests from outside law enforcement agencies.

2. All requests for RILETS information must be submitted via written request on agency letterhead with an authorized signature. Responses will be made via facsimile to the requesting agency.
3. All facsimile requests will be forwarded to the department RILETS coordinator for retention.
4. Sworn Personnel and other authorized RILETS users will not perform inquiries or make entries for other agencies unless there is an audit trail in place to govern and track the interagency activity. NCIC regulations require agencies to track any dissemination of III responses. Each agency is required to log and track each time III checks are disseminated.

#### **D. Audit of Criminal History Inquiries**

1. The RILETS III criminal history inquiries will be reviewed by the department RILETS coordinator and cross checked against the manual logs every six months. The department RILETS coordinator will then forward a memorandum to the Administrative Services Captain detailing any inconsistencies and / or discrepancies found.

#### **E. Manual Log – NCIC**

1. When requested by an authorized individual, RILETS users are to ensure that each and every III criminal history transaction is properly sent and manually logged with both the RILETS operator identification number, and last name, first initial of the authorized individual requesting the inquiry.
2. These manual logs will be retained by the department RILETS Coordinator

#### **F. Annual Audit of RILETS users and passwords**

1. The department RILETS Coordinator shall perform annual audits for the verification of all passwords, access codes, and unauthorized access violations.
2. A report detailing the findings of the annual audit will be submitted to the Administrative Services Captain

#### **G. Non-Law Enforcement Agencies**

1. No III inquiries will be provided to any non – law enforcement agency. Any questions about non-law enforcement agency access should be forwarded to the department RILETS Coordinator.
2. All non-law enforcement uses of the system must be approved by the Administrative Services Captain.

## H. Criminal History Dissemination Logs

1. A manual log will be created and maintained at each RILETS workstation that has the ability to submit NCIC III Criminal History records. The log will delineate the date, time, operator, name of individual checked, and the officer or clerk to whom the record was given.

## I. Access to RILETS

1. Access to RILETS shall be limited to authorized users of the North Kingstown Police Department. All access must be for official purposes and a part of the individual's official duties as an employee of the North Kingstown Police Department.

## J. Questions and Clarifications

1. All questions and clarifications regarding RILETS, to include access rights, dissemination of information, and policies must be directed to the department RILETS coordinator.

## K. Off-Line Searches

1. All requests for off-line searches must be made and approved through the OIC or the department RILETS Coordinator.

## L. Hit – Confirmation / REQUEST (YQ) and RESPONSE (YR) must be performed.

1. **HIT CONFIRMATION REQUESTS (YQ)** – The decision for establishing priority is always made by the agency requesting confirmation. If the request is not answered in the time specified, a Second Request will be sent. If the second request is not answered, again in the time specified, a Third Request will be sent. The request should provide as much information as possible in the request to assure an efficient exchange of information
  - a. Use the priority designation. Although it may seem easier to make all a high priority, it will defeat the purpose. Use the lower priority when an immediate response is not necessary.
    - i. **Urgent** –within the 10 minutes. In those instances where the hit is the only basis for detaining a suspect, or the nature of a case requires urgent confirmation of the hit, the highest level of priority is specified.
    - ii. **Routine**-Within 1 hour. Generally this will be used when the person or property is being held on local charges or when an urgent confirmation is not required.

2. **HIT CONFIRMATION RESPONSES (YR)** - Will be answered in the time specified in the request.

If you are unable to respond immediately send the response back with **P** entered into the Confirmation Status field, which indicates **In Process of Being Confirmed**. The field Confirmation Hours is mandatory when status field is P or E.

3. Ensure that the person or property in the report is the same as the person or property listed in the request / response.
4. Ensure that the warrant and/or report is/are still active.
5. Determine if a decision has been made regarding extradition for wanted persons and such a decision has been approved by RI AG (must be noted in report).
6. Determine whether a decision has been made regarding the return of missing person.
7. If confirmed as subject/property, a locate (LOC) message will be sent in response to the individual record(s).

#### **M. NCIC Wanted Person Enter (EMW)**

In Rhode Island NCIC entries are made via the CPI (Open Fox) Messenger Software. We do not use codes A through E, but we do use codes 1 – 5 as listed below.

- (1) Full Extradition unless otherwise noted in the MIS field.
- (2) Limited Extradition
- (3) Extradition (surrounding states only)
- (4) No extradition
- (5) Pending extradition (see MIS field)

#### **N. NCIC Missing Person Entries**

Due to the seriousness of the complaint, when entering a missing person into NCIC (person is over 21 years of age), a signed MISSING PERSON report or complaint will be required.

Any information regarding a medical condition or any other cautionary information, should be entered into the missing person record as soon as possible.

Any missing person, under the age of 21, must be entered into NCIC within 2 hours of the receipt of the necessary information needed to make an entry. The two hour time clock for this requirement may begin when the call is received by the police agency or when the police officer has completed his/her initial

investigation. Compliance will be based upon on the amount of data/information required to make an NCIC entry as determined by established FBI audit practices.

No agency should remove a person from the NCIC Missing Files based solely on the age of the person. Example – A person entered missing as a juvenile, should not be removed because they turned 21 years of age. Removal from NCIC requires verification that the person is no longer missing and has been located.

#### **O. NCIC Removal of Stolen Plates**

Upon receipt of information from another agency that a lost/stolen registration plate has been re-issued to the same vehicle or another vehicle, NCIC rules dictate the lost/stolen plate status must be removed from the system immediately by the reporting / entering agency. Likewise, if a North Kingstown Police Officer learns that a lost/stolen plate has been re-issued, he/she will notify via TTY the entering agency and request the registration plate be removed from NCIC. (Document)

#### **P. Second Party Check**

A second-party check is when a second user reviews an NCIC entry for its completeness and accuracy. CJIS rules require that all NCIC entries are checked by a second person. The person who does the second party check should never be the same person who did the entry. The second party check will be performed by a supervisor of the North Kingstown Police Department and documented by the supervisor in the IMC case report. Deletions will also be verified and documented in the same manner

#### **Q. Secondary Dissemination Log – 2011**

Any dissemination of an III (Interstate Identification Index) checks outside of your agency, to an authorized agency, must be logged in a "secondary dissemination log".

Example - if III check is part of a case file, and a copy of that case file will be given to another criminal justice agency or the city solicitor, then the secondary dissemination of that criminal history records information (CHRI) must be logged in the secondary dissemination log.

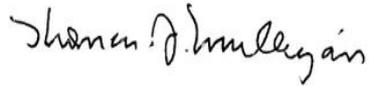
Excerpt from FBI CJIS Security Policy 5.0 (2011) 5.1.3 Secondary Dissemination

If CHRI is released to another authorized agency, and that agency was not part of the releasing agency's primary information exchange agreement(s), the releasing agency shall log such dissemination.

**R. Disposal of III and other RILETS Records**

All Department employees are required to shred all inquiries from National Crime Information Center, Interstate Identification Index, and Rhode Island Law Enforcement Telecommunication System (NCIC III, RILETS) when it is no longer needed. Failure to do so may result in disciplinary action and the termination of your access to the law enforcement telecommunication system.

By Order of:



Thomas J. Mulligan



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	October 7, 2014	410.01	September 30, 2014
SUBJECT TITLE		SUBJECT AREA	
RECORDS		RECORDS	
CALEA REFERENCE		PREVIOUSLY ISSUED DATES	
82.1.1 82.1.2, 82.1.3, ,82.1.4, 82.1.5, 82.1.6 82.1.7, 82.2.1, 82.2.2, 82.2.3 82.2.4, 82.2.5, 82.3.1, 82.3.2, 82.3.3, 82.3.4, 82.3.5, 82.3.6		April 16, 2014	
DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL PERSONNEL	AS NECESSARY	8	

## RECORDS

### I. PURPOSE

The purpose of this policy is to address the Administration Field Reporting and record activities of the North Kingstown Police Department and assign responsibility for report review, report control, records maintenance and records storage according to applicable law.

### II. POLICY

It is the policy of the North Kingstown Police Department to recognize that the central Records function is important to the effective delivery of law enforcement services. The Records Center and Records Storage will act as the central repository for all original copies of incident, traffic, and arrest reports and any other official reports.

### III. PROCEDURE

#### A. Security and Privacy

1. Adult criminal records will be housed in the Records Center for short term storage. The Records Storage will be for long term storage. The Records Center and Records Storage will be locked when unattended.
2. All juvenile arrest reports, release forms, etc., are securely stored in a locked file cabinet within the Juvenile Detective's Office. The retention of all juvenile records is

governed by state law and guidelines outlined by the Secretary of State. See “Records Retention Schedule.” The Juvenile Detective will upon receiving a court order expunge all records as directed after notifying the Division Commander.

3. Juvenile records entered into the computer filing system are coded as such to prevent accidental release of information.
4. The collection, dissemination and retention of fingerprints, photographs and other forms of identification pertaining to juveniles will be the responsibility of the Juvenile Detective.
5. Juvenile identification records are stored separate from adults. Juvenile status offenders will not be processed. See General Order 350.01 “Juvenile Policy”.

## **B. Records Storage**

1. All records, (other than juvenile), are stored in the records rooms where only authorized personnel have access. The following personnel will have access to keys for the Records Rooms:
  - a. Chief of Police, Administrative Captain and Operations Captain
  - b. Records Clerk
  - c. Administrative Assistant to the Chief
  - d. Patrol O.I.C.
  - e. Detective Unit
  - f. Court Officer
  - g. Dispatchers
2. Records that are returned will be placed in the “returned records bin” to be filed.
3. Release of records will be done in accordance with the General Order 520.01 “Release of Police Information and Media Relations”.
4. Records Center and Records Storage’s information is always accessible, by fob. In the case of an emergency or power outage a key is used.

## **C. Computer Access and Security**

1. The Computer Services Officer (IT Officer) is designated as the system administrator for the records management computer system.
2. Police department personnel can access computer records information only through the use of an assigned password. Records information may only be released in accordance with department policy.
3. The IT Officer will conduct an annual audit of the central records computer system for verification of all passwords, access authorization and security systems.

4. The Town IT will back up the system nightly. Back-up media will be stored in a secure off-site area provided by the Town IT department.
5. To prevent the accidental introduction of a computer virus into the records system the majority of the department's users do not have security rights to install software.
  - a. Employees with terminals with active disk drives and/or internet access will have anti-virus software installed and receive training in scanning disks by the systems manager.
  - b. No software will be installed in to the system without the authorization of the Systems Manager.
5. The department normally will not routinely monitor employee's e-mail or any other electronic documents, however, when such information is stored on the department's systems, authorized employees may have the occasion to review and disclose the contents of such files for reasons including, but not limited to, system maintenance, quality control, or enforcement of other department policies.
6. All physical locations of department data storage servers or hardware will be highly secured with access granted by the Chief of Police or Director of Information/Technology.

#### **D. Records Retention**

1. Retention of all records is governed by state law and guidelines outlined by the Secretary of State. See "Records Retention Schedule."

#### **E. UCR Reporting**

1. The North Kingstown Police Department participates in the NIBRS program.
2. All reports are compiled by the IT Officer and sent monthly to the Rhode Island State Police per R.I.G.L (12-41-(1-4)) following the guidelines for submission to the National Incident Based Reporting System.

#### **F. Report Review**

1. The officer-in-charge or their supervisory designee will review all reports of officers working during their shift.
2. All reports are to be completed by officers at the end of their work shift (minor incidents may be completed the following shift at the discretion of the O.I.C.), and are to be reviewed by a first-line supervisor.
3. Reports will be reviewed for, but not be limited, to the following:
  - a. Accuracy
  - b. Clearness

- c. Spelling and punctuation
  - d. Names of involved parties
  - e. Completeness
  - f. IMC system errors
4. Reviewing supervisors should insure that arrest reports include an articulation of probable cause and all elements of the crime.
  5. Reviewing supervisors will document their review of each report by approving them in the IMC system.
  6. Once approved, the reviewing officer will forward the report using the “Case Activity” feature of the IMC system. Reports can be forwarded to the following locations:
    - a. System’s final review is completed by the Operations Captain and IT Officer. (report is complete, no errors, no need for follow-up) Use “PATROL” mailbox.
    - b. Detectives: reports needing follow-up by the detective division. (All open-case crimes) Use “DETECTIVE” mailbox.
    - c. Juvenile: All reports needing follow-up by the juvenile detective. (All open case crimes) Use “JUVENILE” mailbox.
    - d. All accidents must go to the Records Division.
  7. The final review officer will review the reports, send incorrect reports back to the supervisor, or submit the report to the database.
  8. At least once a month the IT Officer will conduct a computerized audit to identify errors or omissions in reports.
  9. Reports with errors will be forwarded to the respective O.I.C. who will ensure that the reports are corrected by the officer.

## **G. Field Reporting and Management**

1. Case reports will be required when:
  - a. Crime has occurred or investigation of a possible crime.
  - b. Forced entry has been made by any government agency (i.e. Fire Department).
  - c. Fires, when there is suspicion of a crime, personal injury or government property.
  - d. Sudden death.
  - e. Lodging of persons for other agency.
  - f. Animal complaints handled by officers when Animal Control is unavailable.
  - g. Abandoned vehicle that is not traceable and/or is towed into custody.
  - h. Found property not traced to a previous case.
  - i. Detention of a suspicious person (no charges).
  - j. Arrest of a person on bench (capias) warrant or another agency’s warrant.
  - k. Case reports are not required in other events in general; however, a field supervisor may direct that one be done.

2. An official record will be made of actions taken by law enforcement personnel whether in response to a request for service or self-initiated activity.
3. Original case reports are to be submitted to a shift Supervisor for review and if necessary forwarded to the Detective Division for processing and distribution. All inactive case reports will be sent to the records room.
4. Follow-up reports should be included in the original file within ten (10) days.
5. Field reporting forms include:
  - a. Case Report.
  - b. Traffic Accident Report.
  - c. Arrest and Booking Report.
  - d. Victim/Witness Statement.
  - e. Larceny Report.
  - f. Field Interview Report.
  - g. Supplemental Report.
6. All relevant fields of the IMC computer generated reports should be filled out as completely as possible.
7. Every incident that comes within the following categories will be recorded in the CAD system:
  - a. Citizen reports of crimes.
  - b. Citizen complaints.
  - c. Citizen requests for service when:
    - i. An officer is dispatched to the scene.
    - ii. An officer is assigned to investigate.
    - iii. An officer is assigned to take action at a later time.
  - d. Criminal and non-criminal cases initiated by law enforcement officers.
  - e. Motor Vehicle stops whether citation is issued or not.
  - f. Incidents involving an arrest or summons.
8. Department employees may forward any recommendations regarding the report system through the chain of command to the Administrative Captain, who will be responsible for evaluating the recommendation and notifying the employee involved of his/her evaluation.

#### **H. Case Numbering System**

1. Case report numbers are issued through the CAD system.

2. The numbering system ensures that all cases receive a number, that no numbers are omitted and that no numbers are duplicated.
3. Case numbers follow the following format: (xx-yyyy-zz)
  - a. “zz” is the type of report “AC” (accident), “OF” (incident), “AR” (arrest).
  - b. “yyyy” is the sequential number of the report.
  - c. “xx” is the year of the report.
4. All incidents of police service will be issued a sequence number. Only those cases requiring a case number will be issued a case report number.

#### **I. Records and Report Distribution**

1. The O.I.C. will be responsible for ensuring that all reports are entered into the computer system and distributed to the appropriate division, Detectives, Prosecution, Juvenile, etc. This can be accomplished through use of the “Case Activity” feature of the IMC system.
2. The Detective and Prosecution Divisions will be given the original printed reports, other divisions will be given copies of case reports.
3. The IMC system can produce a variety of customized reports based on the authorized user’s criteria these reports include:
  - a. Service calls and crimes by type.
  - b. Service calls and crimes by location
  - c. Stolen, found, recovered, and evidentiary property files.
4. Officers or civilian employees requesting a copy of a report for any non-official purpose will submit a “Records Request Form” to the front desk officer.

#### **J. E Citations**

1. The Prosecutions Office and IT Officer will forward all completed citations to the appropriate agency and maintains the North Kingstown Police Department copies in a secured area.
2. Completed citations will be retained in accordance with the Records Retention Schedule.

#### **K. Records Maintenance**

1. All incident, traffic accident, and arrest reports, (other than juveniles), generated by the North Kingstown Police Department are maintained in the Records Rooms.
2. Other reports and records, both official and unofficial, may be stored in areas including the following:

- a. Chief's Office and or the Administrative Captain's office
  - i. Personnel Records
  - ii. Citations
  - iii. Citizen Complaints
  - iv. Internal Affairs Reports
  - v. Department Property Inventory
  - vi. Personnel Records (i.e. vacation, sick leave, compensatory time etc.)
  - vii. Budget Revenue / Expense
  - viii. Accounts Payable
  - ix. Payroll / Overtime
  
- b. Records Center / Records Storage
  - i. Incident Reports
  - ii. Traffic Accidents
  - iii. Arrest Reports (other than juveniles)
  - iv. Active Restraining Orders
  
- c. Detective Division
  - i. Active Case Files
  - ii. Intelligence files.
  - iii. Confidential informant files
  - iv. Field Interview Reports
  - v. Juvenile Records
  
- d. Administrative Services / Training
  - i. Training records.
  - ii. Accreditation Files
  
- e. Prosecutions Office
  - i. Active cases
  - ii. Filings
  - iii. Warrants
  - iv. E Citations

**L. Arrest Information**

1. People arrested by the North Kingstown Police Department are transported to headquarters where they are processed and their information is documented.
2. All arrestees, (other than juvenile status offenders), are fingerprinted and photographed.
3. The booking officer will enter information on all prisoners into the IMC system.

4. All records will be updated as warranted.
5. All arrest reports will be forwarded to the Prosecution Officer.

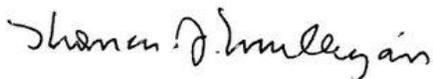
#### **M. Warrant and Wanted Persons File**

1. The Prosecutions Office will act as the repository for all active arrest warrants and restraining orders lodged at the North Kingstown Police Department.
2. The Dispatch Center will enter all warrants in to the department's computer system. The warrants will then be forwarded to the Prosecutions Office.
3. The Dispatch Center will enter/delete the warrants into the N.C.I.C. system.
4. Pursuant to the policy of the R.I. Department of Attorney General, entry of felony warrants into the national NCIC system must be approved by the Attorney General's office for the purpose of ensuring extradition. The Detective Division O.I.C. shall obtain said authorization prior to entry of the warrant by dispatch.
5. Any request for apprehension originating from an outside agency will be forwarded to the O.I.C. of the Patrol Division.
6. All warrants will be made accessible 24 hours a day.
7. Any information received on an active arrest warrant will be verified with the respective agency in possession of the signed warrant.
8. RILETS and NCIC guidelines shall be followed when answering/replying to extradition requests.

#### **N. Department Service Documentation**

1. Documentation of the process in delivering service notification will be done in CAD system and include the following:
  - a. Date and time received, served or attempted'
  - b. Name and rank of server
  - c. Reason for non-service, if applicable
  - d. Type of service, Criminal or Civil
  - e. Location of service or attempted service
  - f. To whom the process was served

By Order of:



Thomas J. Mulligan  
Chief of Police



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	May 14, 2014	410.02	April 30, 2014
SUBJECT TITLE		SUBJECT AREA	
FORMS ACCOUNTABILITY		RECORDS	
CALEA REFERENCE		PREVIOUSLY ISSUED DATES	
11.4.2		NEW	
DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL PERSONNEL	AS NECESSARY	2	

## FORMS ACCOUNTABILITY

### I. PURPOSE

The purpose of this policy is to establish and maintain procedures to ensure the accountability of all department forms and to provide for various reporting requirements within the department.

### II. POLICY

The proper use, preparation and processing of required forms is vital to the effective and efficient operation of the department. Every employee will utilize only those forms authorized by the department and promptly complete and submit all required forms.

### III. ACCOUNTABILITY

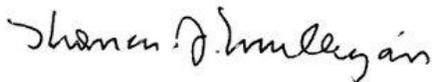
1. The Administrative Captain or his/her designee is responsible for developing, modifying, reviewing new forms.
2. The Chief of Police is responsible for approval of new forms.
3. Only those forms authorized by the Chief of Police, or required by law, shall be utilized by department personnel.

4. A master file containing an original copy of each form in use shall be maintained by the Administrative Assistant to the Chief.
5. Supervisors should check that the appropriate numbers of forms are available in the patrol report area. Additional forms may be found in records storage room.
6. Personnel removing forms from records storage must inform the Administrative Captain whenever it appears the inventory of any form appears to be low and is in need of being replaced.

#### **IV. REPORT PREPARATION AND PROCESSING**

1. All reports and forms requiring a supervisor's signature should be accurately, completely and promptly submitted for approval.
2. Supervisors are required to check each report and form submitted to ensure that all the proper data and information is completely and accurately provided.
3. The Detective Commander or Prosecution Officer will review all submitted reports and forms related to screening packages to ensure they are complete and all required information has been provided. Incomplete reports will be returned to the reporting person's supervisor with the request for the necessary additional data or correction.
4. Only authorized personnel are authorized to enter or remove any original reports or forms from the files or control of the Records unit.
5. Requests for copies from outside the department shall be provided according to the Rhode Island Access to Public Records Act.

By Order of:



Thomas J. Mulligan  
Chief of Police



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	DECEMBER 27,2011	410.03	DECEMBER 16,2011
SUBJECT TITLE		SUBJECT AREA	
CRIME REPORTING AND ANALYSIS		RECORDS	
CALEA REFERENCE		PREVIOUSLY ISSUED DATES	
15.3.1			
DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL PERSONNEL	AS NECESSARY	3	

## CRIME REPORTING AND ANALYSIS

### I. PURPOSE

To establish guidelines which enhance the department's crime detection and prevention efforts through the regular collection, analysis, and distribution of crime related data.

### II. POLICY

Crime analysis is a scientific process that involves the collection of valid and reliable data, employs systematic techniques of analysis, and seeks to determine, for predictive purposes, the frequency with which events occur and the extent to which they are associated with other events.

Information obtained by analyzing crime data is used to support operational and management personnel. Operational personnel are provided with information to aid them in meeting their tactical crime control and preventive objectives by (1) identifying and analyzing methods of operation of individual criminals, (2) providing crime pattern recognition, and (3) providing analysis of data extracted from offense and arrest reports. Management receives information that may be useful to the department's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

Crime analysis is indispensable to the department's efficiency, productivity, and effectiveness. Therefore, all applicable personnel shall provide complete and consistent reports of crimes, incidents, and related information as required to support the crime analysis function.

### **III. REPORTING PROCEDURES**

- A. The Crime Analysis Officers shall collect Uniform Crime Report (UCR) and Incident Based Reporting (IBR) statistical data from computerized offense and arrest reports completed by sworn Department members.
- B. The Crime Analysis Officers shall forward the UCR and IBR statistical data to the Rhode Island State Police UCR Unit, along with quarterly Arson, Hate Crime, and Alcohol Impairment Reports.
- C. UCR and IBR data submitted to the UCR Unit shall include, but is not limited to, statistics related to the following crimes:
  - 1. Homicide;
  - 2. Sexual Assault;
  - 3. Robbery;
  - 4. Assault;
  - 5. Burglary;
  - 6. Larceny;
  - 7. Motor Vehicle Theft, and;
  - 8. Arson
- D. The Crime Analysis Officers shall continuously monitor UCR and IBR statistical data and advise the Police Chief of unusual patterns or trends.

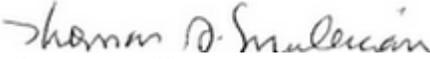
### **IV. CRIME ANALYSIS**

- A. The Chief of Police will designate a member of the supervisory staff as the Crime Analysis Officer who will be responsible to prepare the following crime analysis reports based on computerized offense and arrest reports completed by sworn department members:
  - 1. Selected Activity Statistical Report – A monthly and annual report including the analysis of Burglary, DWI, and other offenses or activities determined by the Police Chief. These reports shall include the temporal and geographical distribution of the selected offenses. Monthly crime mapping data will be prepared and distributed to affected personnel.
  - 2. Crime Analysis Report – A report prepared annually, or as required by the Police Chief, will include the following factors:
    - a. Frequency by type of crime;
    - b. Geographic factors;
    - c. Temporal factors;
    - d. Victim and target descriptors;
    - e. Suspect descriptors;
    - f. Suspect vehicle descriptors;
    - g. Modus Operandi factors, and;
    - h. Physical evidence information.

## V. DISTRIBUTION OF CRIME ANALYSIS INFORMATION

- A. The Crime Analysis Officers shall distribute crime analysis information to the Police Chief, and Command Staff.
- B. The Crime Analysis Officer shall brief the Police Chief and command staff on crime patterns or trends at periodic staff meetings.
- C. The department encourages feedback from its members regarding crime analysis information, crime patterns or trends, and techniques for combating criminal activity. Feedback should be forwarded through the appropriate chain of command.
- D. The command staff shall use crime analysis information and analyze feedback from department members to develop problem oriented, community policing, or directed patrol strategies.
- E. The Crime Analysis Officer shall maintain the confidentiality of crime analysis information.
  - 1. Crime analysis information may be distributed to outside agencies or organizations with the prior approval of the Police Chief.
  - 2. Crime analysis information is available to sworn and non-sworn department members upon written request to the Crime Analysis Officer.

By Order of:

  
Thomas Mulligan  
Chief of Police



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	May 15, 2015	420.01	May 1, 2015
SUBJECT TITLE		SUBJECT AREA	
EVIDENCE COLLECTION AND PRESERVATION		PROPERTY AND EVIDENCE CONTROL	
CALEA REFERENCE		PREVIOUSLY ISSUED DATES	
83.1.1, 83.2.1, 83.2.2, 83.2.3, 83.2.4, 83.2.5, 83.2.6, 83.2.7, 83.3.1, 83.3.2		NEW	
DISTRIBUTION	REEVALUATION DATE	PAGES	
POLICE	AS NECESSARY	13	

## EVIDENCE COLLECTION AND PRESERVATION

### I. PURPOSE

To establish guidelines and provide a management control system for department personnel regarding the collection and preservation of evidence.

### II. POLICY

The North Kingstown Police Department recognizes that successful prosecution of offenders and other police related matters are directly linked to a thorough evidence collection and preservation process. It is therefore essential that to safeguard its evidentiary value, all evidence must be carefully collected, identified, properly packaged and secured. All physical evidence must also be accurately described and documented in all departmental entries, journals, logs, forms, and reports. This department will also ensure that all evidence is properly stored, readily retrieved and transmitted properly if laboratory support is required.

It is essential to remain cognizant to the fact that the chain of custody begins the moment the evidence is discovered and continues until presented at court. To ensure that the evidence collected and preserved by this department will prevail against any legal challenge, the activity of every person who handled, examined, transferred, transported or stored the evidence must be accounted for and documented.

The North Kingstown Police Department's responsibility in maintaining the integrity of the chain of evidence requires that personnel be properly trained in evidence recognition and

collection procedures. Every effort should be made to leave the handling of evidence to those department personnel who are trained in evidence collection and preservation.

### **III. DEFINITIONS**

*CHAIN OF CUSTODY*: The continuity of the custody of physical evidence whether at the crime scene or not. It begins at the time of original collection and ends at the final disposal.

*CRIME/FORENSIC LABORATORY*: A laboratory that employs one or more full time criminologists, whose principal function is the examination of evidence for law enforcement agencies in criminal matters and who provide testimony with respect to such physical evidence to the criminal justice system.

*CRIME SCENE*: The location where the crime occurred or where the indication of where the crime exists.

*CRIME SCENE PROCESSING*: The specific actions taken at a crime or accident scene, consisting of photographing all pertinent information, preparing the crime or accident scene sketch, and the collecting and preserving of physical evidence.

*CRIME SCENE SKETCH*: A drawing, showing all significant aspects of the crime scene.

*PROPERTY CONTROL OFFICER*: Detective(s) assigned by the Detective Commander will be responsible for all evidence and all other property with significant monetary value that is to be stored at the North Kingstown Police Department.

*PROPERTY ROOM*: Facilities utilized by this department for the storage of evidence and property.

*DETECTIVE*: An officer who is assigned to the Detective Division who has formal training in the processing of crime scenes.

*IMPOUNDING OFFICER*: The officer who initially receives the evidence and initiates the chain of custody.

*PHYSICAL EVIDENCE*: Any substance or material found or recovered in connection with a criminal investigation.

*SERIOUS INJURY*: Injury or potential injury incurred by a person that results or may potentially result in loss of limb, serious disfigurement, serious head or spinal trauma, and loss of life.

*ELECTRONIC DATA*: Any and all information capable of being stored or transmitted in digital form. This includes, but is not limited to, text, pictures, video, audio, and the programs and applications required for storage, transport, and manipulation of such information. This definition commonly includes law enforcement records management databases, fingerprint databases, audio/video storage databases, and photographic databases as well as administrative information commonly used in the operator of a government entity.

## IV. PROCEDURE

### A. Duties and Responsibilities

The first officer to arrive at a crime scene is normally a patrol officer. The following steps should be taken until additional assistance arrives.

1. Take necessary steps to deal with immediate danger to the officer or others.
2. Provide medical assistance when necessary.
3. Determine the nature of crime committed.
4. Apprehend the criminal offender if possible (when the right to arrest exists).
5. Make immediate notification and request assistance from the Officer-in-Charge (O.I.C.). If necessary request the assistance of a superior officer to enlist the members of the Detective Division.
6. Protect the scene to prevent the destruction or contamination of evidence. Unauthorized personnel will not be permitted to enter the crime scene. All persons found at the scene should be removed from the immediate area, detained and separated. The outer perimeter of the crime scene should be physically isolated by erecting a clearly marked crime scene barrier.
7. Briefly note and record any evidence that may relate to the crime. The date, time of arrival, route of approach, weather conditions, and any other observations should be recorded and a log started and maintained. The log shall indicate name and time of authorized persons entering and leaving the crime scene and remain maintained until the lead investigator releases the scene.
8. The Impounding Officer shall protect all evidence from potential contamination, alteration, destruction and/or damage. Any officer who is unfamiliar relating to the collection and preservation of evidence should obtain assistance from an officer/detective trained in such matters.

### B. Serious Crimes

The following offenses are of a nature requiring the **immediate** assignment of a detective to assume the responsibility for the completion of the preliminary investigation, begin the follow-up investigation, and take control of the crime scene. A detective may also be assigned to evaluate, collect and process evidence at the scene.

1. Death of a violent or suspicious nature.
2. Rapes or suspected rapes.
3. Assaults resulting in serious injury or death.
4. Armed robberies.

5. Burglaries where there is excessive or unusual loss.
6. Any major disaster (where detectives can assist in identification of victims).
7. Kidnapping and extortion.
8. Bombings
9. Fires of suspicious origin where arson is suspected. The State Fire Marshall's Office shall also be notified in such cases.
10. Traffic accident resulting in serious bodily injury and/or fatality.

### **C. Detective Personnel**

A detective shall be on call on a 24-hour basis to process a crime scene or serious traffic collision.

1. The Detective Commander shall be responsible for assigning a member of the Detective Division to process a crime scene when deemed necessary.
2. The Detective Commander shall be responsible for the storage of equipment utilized for the processing of crime scenes. This equipment shall be accessible to personnel of the Detective Division on a 24-hour basis and shall consist of items needed to perform the following tasks:
  - a. Recovery of latent fingerprint evidence.
  - b. Photography and video camera photography.
  - c. Crime scene sketching and recording.
  - d. Collection and preservation of physical evidence.
3. Reports filed with officers processing crime/accident scenes will contain the following information:
  - a. Case number
  - b. Officer's name, date and time of notification, and arrival at scene.
  - c. Location of crime scene.
  - d. Name(s) of victim(s) and suspect(s) if known.
  - e. Actions taken at the scene, to include:
    - i. Photographs taken if any.
    - ii. Measurements taken, if any.
    - iii. Documenting all evidence recovered to include:
      - Description of the item (make, model, and serial number if applicable).
      - The source and name of the officer collecting the item.
      - Assigned Property Number, description, and owner information.
      - Disposition of the physical condition of each item of evidence
      - The investigating officers will document all procedures used to locate and recover all visible and latent evidence.

4. Documentation of the appropriate reasons for not taking photographs or not recovering physical evidence.
5. In crime scenes situations where a substance or material from a known source is available, it will be collected for submission to the laboratory for comparison with physical evidence collected. This will be done in a manner to ensure the admissibility and integrity of the sample in a court of law.

#### **D. Photography/Videography**

1. The crime scene should be photographed and/or videotaped before any search has begun. In a team situation, one person should be assigned to all photography and videotaping.
2. No personnel should be within the scene during this time and no police equipment should be included in the photographs except as necessary for investigative purposes.
3. Objects may not be moved or examined until they have been photographed or videotaped from all relevant angles, sketched and examined for evidentiary value.
4. Crime scene photography and/or videotapes/DVDs should include the following:
  - a. The approaches to the scene.
  - b. The surrounding area.
  - c. The general scenario
  - d. Any relevant close-ups.
  - e. Body positions should be photographed from a north, south, east and west perspective, as well as an identification shot of the victim's face, if possible. The area beneath a body and after its removal.
  - f. Any fingerprints, footprints, bloodstains, tool marks, bite marks, damaged areas, skid marks tire tracks, glass impressions and other relevant items of evidentiary value.
  - g. In a photograph where a scale is required, two photographs should be taken; one with a scale in the photograph and one without.
  - h. Each item shall be photographed; so as to depict its location detailed in the crime scene sketch and field notes.
  - i. Digital camera photographs will be kept on disk or loaded onto the photo imaging system.

#### **E. Crime Scene Sketch**

1. In all cases involving serious crimes and/or accidents resulting or potentially resulting in serious bodily injury or death, the investigating officer or the assigned detective may create a sketch of the crime scene that shall include, but not be limited to the following:

- a. Case number.
- b. Dimensions of the crime scene.
- c. Relation to the crime scene to other buildings or fixed objects.
- d. Address, floor, or room number, as appropriate.
- e. Location of the significant features of the crime scene, including the victim.
- f. Date and time of preparation.
- g. Locations of physical evidence recovered.
- h. Direction of North.
- i. Names of the persons preparing the sketch.

## **F. Fingerprints**

1. A crime scene search will include a detailed examination for visible, plastic, and latent fingerprints when appropriate. Officers performing this function will preserve all developed prints.
2. All surface areas in and around the crime scene that have the potential of retaining finger and palm prints will be searched and processed using an appropriate method determined by the detective.
3. If latent fingerprints are lifted they shall be recorded on the Latent Fingerprint Card which shall include, name of investigator, date, time, item and place where latent discovered, and method used.
4. Fingerprints found at a crime scene will be immediately recorded by photography before any attempt is made to lift the prints. A photograph of the print will be taken with a scale present in the photograph as well as one without the scale.
5. As a means to exclude as suspects those persons having lawful access to a crime scene, elimination prints shall be obtained from all persons who may have access to the crime scene. Prints should be labeled, "for elimination purposes," and signed by person and officer. The Elimination Print card shall also include person's printed name, date of birth, address and dates the inked prints were taken.
6. The fingerprint lift card shall include the following:
  - a. Case number.
  - b. Date and time of lift.
  - c. Name and signature of officer making the lift.
  - d. Type of crime.
  - e. Exact location where print was lifted.
7. Latent print cards shall be secured in the Detective Division by case number.

## **G. Searching, Collecting, Marking and Containing Evidence**

### **1. Searching for Evidence**

- a. The mechanics of the search may vary, i.e., strip search, grid search, wheel search, etc.
- b. Officers should make a rough sketch of the area searched with the dimensions and distances noted.
- c. Officers should examine each item of evidence discovered during a search very carefully, thoroughly and completely.
  - i. Officers should give special attention to fragile evidence that may be destroyed or contaminated, if not collected upon discovery. All strange odors should be noted.
  - ii. Officers should treat as evidence all other items that are foreign to the area in which they are found, such as hair, fiber and earth particles.
  - iii. A crime scene search shall include a detailed examination for visible, plastic, and latent finger and palm prints, and foot impressions.
  - iv. The search is completed when the area has been thoroughly examined, rough sketch drawn, pertinent photographs taken, and necessary notes completed.

### **2. Collecting Evidence**

- a. After the search has been completed and sketches and photographs have been taken, the evidence may be collected.
- b. One detective will be the lead evidence collector. This will allow the orderly and professional gathering of evidence to ensure the security, safe handling, and proper chain of custody. The initial step in this process is marking or labeling the item at the time it is collected, seized, or received. Items should be marked so as not to damage or contaminate the evidence. Items that cannot be marked should be placed in an appropriate container, sealed and the container labeled.
- c. The appropriate property labels shall be affixed to each item or container of evidence that is obtained. Property labels include the following information: property number, type, description, serial number and other similar information, owner information, date, time, incident number. Each item of evidence/property with its corresponding property number shall also be entered into the computer system in the appropriate Incident or Arrest report.
- d. The wearing of Personal Protection Equipment shall be preferred, including, but not limited to, tyvex suits, respiratory protection devices, gloves, etc. Officers should only handle evidence when necessary. The wearing of gloves during the collection of evidence shall be required, as it will prevent the contamination of evidence and potential transfer of communicable diseases to officers collecting the evidence. The use of protective suits shall be worn when appropriate.

- e. If needed, an article of evidence, e.g., carpeting, upholstery, walls, doors, etc. may be cut out, taken away, or removed from its original environment.
- f. If fingerprints of an officer are placed on any item, it should be noted in both the field notes and final report.
- g. Special types of evidence necessitate special handling procedures.
  - a. Liquid blood samples should be placed in properly sealed containers and stored promptly in secured a refrigerator.
  - b. Wet or bloody clothing should be air-dried and packaged in paper bag.
  - c. Items possibly supporting latent fingerprints should be protected from any movement or actions that may destroy or contaminate the prints.

### 3. Containing Evidence

- a. The main purpose in using proper containers is to prevent a change in the physical evidence through:
  - i. Loss of leakage.
  - ii. Evaporation or seepage.
  - iii. Contamination.
  - iv. Mixture or mingling.
  - v. Alteration.
  - vi. Pilferage.
- b. The investigating officer and the Detective are directly responsible for the preservation and security of the evidence.
- c. All evidence containers should be sealed when appropriate in such a way that a container cannot be opened unless a seal is broken. All seals should have the officer's name and other particulars (date, time, case number, etc.) written upon it. Bio-hazard and or caution stickers will also be affixed to exterior of all containers when appropriate.
- d. Evidence should not be bent or forced into a container. Padding may be added to prevent the object from moving, sliding, or rolling in the container.
- e. To ensure the preservation of evidence and the prevention of contamination, all items should be properly packaged as follows:
  - i. Metal paint cans shall be used for volatile and hazardous substances, arson related materials and electronic devices that have remote access capabilities.
  - ii. Clean plastic jars, 35 mm film canisters, or evidence envelopes for appropriated sized items; such as: bullets, casings, glass fragments, metal fragments, paint chips, hair, fibers, dried blood, powder, etc.
  - iii. Self sealing plastic bags for narcotics and other dangerous drugs, jewelry, paper and other small items.
  - iv. Self sealing plastic monetary bags will be used with all authentic forms of currency.
  - v. Small plastic tubes with screw on lids for suspected liquids such as alcohol.

- vi. Paper bags for stained materials, such as bloodied articles or those containing seminal fluid. (Do not package when wet or moist. Articles should be allowed to thoroughly dry, then be placed in their own separate bag.)
- vii. Cardboard boxes for large bulky items or numerous small articles from the same location.
- viii. Firearms and long bladed weapons are to be stored individually in department issued firearm or knife boxes.
- ix. Hypodermic needles and syringes will be sealed in clear, plastic, protective cases prior to being sealed in plastic evidence bags.
- x. Other evidence collection containers that are used for special purposes (i.e. DUI blood evidence kits).

## **H. Submission of Evidence to Forensic Laboratories**

1. It shall be the responsibility of the Detective Commander to coordinate and delegate the preparation and transmittal of physical evidence to the appropriate lab. Written results of a laboratory analysis will be available to the investigating officers.
2. All seized evidence subject to laboratory examination will be submitted to the appropriate laboratory as soon as possible.
3. In situations where perishable evidence such as fresh blood, blood stained objects, physiological stains and tissue and biological materials cannot be submitted in a timely fashion, such perishable evidence will be stored in the secured evidence refrigerator.
4. As with all evidence, officers are to ensure that the proper chain of evidence is recorded when handling perishable evidence. The officer transferring the evidence will ensure the following Chain of Custody information is documented which shall include,
  - a. Case number.
  - b. Date and time of initial seizure and all subsequent transfers.
  - c. Officer's name and signature initially seizing evidence and subsequent officers handling the evidence.
  - d. Storage facilities.
  - e. Physical description of each piece of evidence.
  - f. Destination of transferable evidence, i.e., other agencies, laboratories.
  - g. Any other data that may further secure the chain of custody and/or describe disposition of evidence.
  - h. Reason for transfer.
5. Items of physical evidence submitted for examination will be prepared in a uniform manner. Items of evidence will be packaged and transmitted consistent with the requirements of the receiving laboratory.
  - a. Rhode Island Department of Health's "Forensic Biology Laboratory Evidence Policy" and "Forensic Drug Chemistry Evidence Submission Policy" will be followed and copies be available to submitting officers any time of the day.
  - b. The Property Control Officer will make periodically inquires as to the most up to date policies.

6. Depending upon the circumstances surrounding a particular investigation and/or the type of evidence in question, the department will utilize, but is not limited to, any of the following crime/forensic laboratories:
  - a. The Federal Bureau of Investigation Laboratory.
  - b. The Alcohol, Tobacco and Firearms Laboratory.
  - c. The Rhode Island Crime Laboratory at the University of Rhode Island.
  - d. The Rhode Island Department of Health Laboratory, Providence, Rhode Island.
7. Accompanying each transfer of evidence shall be the appropriate form specific to each laboratory. Upon completion of the laboratory analysis, the results of the analysis shall be returned to the department in writing.
8. The officer transferring the evidence to the laboratory will obtain a receipt to ensure the maintenance of the chain of custody.
9. Regardless of which laboratory is utilized, the following information will be recorded by the detective upon submission of the evidence.
  - a. The name of the last person having custody of the item.
  - b. The date and time of the submission or mailing and the method used for transmission.
  - c. The date and time of receipt in the laboratory.
  - d. Name and signature of the person in the laboratory receiving the evidence.
10. In situations where a substance from a known source needs to be collected for comparison to physical evidence collected, department personnel shall do the following:
  - a. Obtain consent from the suspect to collect the substance, if the suspect maintains a proprietary interest in the property from which the sample is to be taken. If not, obtain consent from the individual with proprietary interest in the property in question.
  - b. Obtain a search warrant for the substance.
  - c. When it is necessary to obtain known samples from a crime scene/involved participant and/or article of evidence, the samples shall be collected in a way that does not taint and/or reduce the evidentiary value of the sample or the area where the sample was obtained. All such known samples shall be properly packaged and marked for as such for submission to the appropriate agency/laboratory for comparison with physical evidence that had been collected.
11. In situations where the crime of Sexual Assault occurs and a rape kit is completed, all separately packaged evidence including the rape kit shall be brought to the Rhode Island Department of Health. The appropriate Department of Health form shall accompany the transfer of evidence.
12. Lab results may be accepted verbally but must always be followed up with a written report.

## **I. Seizure of Computer Equipment**

1. In criminal investigations involving computers, warrants shall be secured when appropriate and if necessary, the Rhode Island State Police Computer Crimes Unit shall be contacted for special instructions regarding the seizure and forensic examination of computer equipment.
2. Prior to any search that is likely to result in the discovery of computer equipment, the investigating officer shall consider requesting the assistance of an officer trained in the seizure of computer equipment or a special agent/computer examiner in both the proper manner in which to seize computer equipment as well as later conducting a forensic examination of the seized computer equipment.
3. Asking the owner of the computer equipment about his or her computer system can produce incriminating answers. Therefore, the owner should be advised of his or her Miranda warnings. Prior to manipulating or transporting the computer equipment from the scene, the owner should be asked about passwords, encryption, and other information about the computer system.
4. Extreme care shall be used while transporting computer equipment
  - a. Computer equipment should have limited exposure to sun, as heat can destroy magnetic media.
  - b. Computer equipment should not be placed near radio units in the trunks of departmental vehicles.
5. Computer equipment shall be secured away from magnets, speakers, radio equipment, heating and cooling ducts, dust and insects.

## **J. DNA Evidence Collection**

1. DNA evidence collection is extremely important regardless of an officer's assignment, rank, or expertise, so ALL sworn personnel should be aware of important issues involved in the identification, collection, transportation, and storage of DNA evidence. Department personnel should take precautions against possible contamination, because DNA can be extracted from seemingly minute samples of blood/bodily fluid. Evidence contamination can occur when DNA from a foreign source gets exposed to or mixed with DNA that is relevant to the case.
2. First responders will secure the scene to avoid contamination until a detective responds to collect the evidence. Officers will avoid touching an area of evidence where you believe DNA exist. Avoid talking, sneezing, scratching and coughing over evidence.
3. When transporting or storing DNA evidence, keep the evidence dry and at room temperature. Once the evidence has been secured in paper bags or envelopes, it must be sealed, labeled and transported in a way that ensures proper identification of where it was seized from and a proper chain of custody. Never place DNA in plastic bags. Direct sunlight and hot conditions can be harmful to DNA.

4. To avoid contamination of evidence that may contain DNA, personnel will take the following precautions:
  - a. Wear gloves.
  - b. Use disposable instruments or clean them thoroughly before and after handling each sample.
  - c. Avoid touching an area of evidence where you believe DNA exist.
  - d. Avoid talking, sneezing, scratching and coughing over evidence.
  - e. Avoid touching your face, nose, mouth when collecting or packaging DNA evidence.
  - f. Air-dry evidence thoroughly before packaging.
  - g. Put evidence into new paper bags or paper envelopes never use plastic bags.
5. As with fingerprints, the effective use of DNA may require the collection and analysis of “known samples.” These samples are necessary to determine whether the evidence came from the suspect or from someone else.
6. One investigative tool available to law enforcement is CODIS (Combined DNA Index System). CODIS is an electronic database of DNA profiles that can identify suspects. All states have implemented a DNA index of individuals convicted of certain crimes. Therefore, law enforcement officers have the means to identify possible suspects for cases in which a culprit’s identity was previously unknown.

#### **K. Record Evidence for Operating Under the Influence**

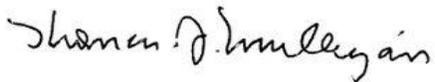
1. The North Kingstown Police Department shall record the booking process of all Operating Under the Influence arrests.
2. All tapes/DVDs shall be clearly labeled with the labels provided.
  - a. The Prosecution Division shall be responsible for requesting/obtaining the DVD recordings for presentation in court on the trial date. All requests shall be directed to the officer in charge of system administration.
  - b. Upon request through discovery, the officer in charge of the system administration will transfer the aforementioned recording of the booking process onto a DVD. That DVD will be assigned a property (evidence) number-linking it to the arrest report. The DVD will then be secured in the case file in the Prosecution Division. Proper chain of custody will be maintained and recorded through IMC.
  - c. No DVD will be erased or disposed of until the case disposition has been confirmed and all appeals have been exhausted.

#### **L. Training**

1. All officers shall receive training in crime scene search techniques and accident scene processing during their basic recruit academy training.
2. Due to the fact that crime scene processing is constantly changing, officers involved in the process shall be provided with in-service training as well as training from outside agencies and departments that maintain expertise in these and related areas.

3. Efforts shall be made to afford officers with specialized training that develop expertise in, but not limited to the following areas of crime/accident scene processing:
  - a. Identifying, collecting, preserving and transmitting physical evidence, including perishable and/or biological materials.
  - b. Preparing crime scene and accident scene sketches and diagrams.
  - c. Recovery of latent fingerprints and palm prints.
  - d. Recovery of foot, tool and tire impressions
  - e. Photographing crime and accident scenes.
  - f. Crime scene/accident scene analysis and reconstruction

By Order of:

A handwritten signature in black ink that reads "Thomas J. Mulligan". The signature is written in a cursive style with a large initial 'T' and 'M'.

Thomas J. Mulligan  
Chief of Police



# North Kingstown Police Department

8166 Post Road, North Kingstown, Rhode Island 02852

<b>ORDER</b>	<b>EFFECTIVE DATE</b>	<b>NUMBER</b>	<b>ISSUING DATE</b>
GENERAL	July 12, 2016	420.02	June 28, 2016
<b>SUBJECT TITLE</b>		<b>SUBJECT AREA</b>	
PROPERTY MANAGEMENT AND CONTROL		PROPERTY AND EVIDENCE CONTROL	
<b>RIPAC REFERENCE</b>		<b>PREVIOUSLY ISSUED DATES</b>	
16.6-16.11		2/28/13	
<b>DISTRIBUTION</b>	<b>REEVALUATION DATE</b>	<b>PAGES</b>	
ALL PERSONNEL	AS NECESSARY	11	

## PROPERTY MANAGEMENT AND CONTROL

### I. PURPOSE

To establish guidelines for the North Kingstown Police Department's Property Management System, which provides for the management and control of property in the custody of the Department and property acquired by the Department as found, recovered, or evidentiary property.

### II. POLICY

The Department's Property Management System shall provide for the management and control of found, recovered and evidentiary property, along with property in the custody of the department. The department's system shall also maintain strict measures with respect to the handling, security, and disposition of property. This is critically important in supporting investigations, in helping to guarantee successful prosecution at criminal/civil trials, in facilitating the timely return of property to its rightful owners, and in maintaining the department's reputation as an honest, reputable agency worthy of the public's confidence and trust.

### **III. DEFINITIONS**

CHAIN OF CUSTODY: The continuity of the custody of physical evidence whether at the crime scene or not. It begins at the time of original collection and ends at the final disposal.

DISPOSAL: The return, destruction, surplus, or otherwise legal relinquishment of physical evidence and property from the possession and control of the department.

FOUND PROPERTY: Non-evidentiary property that comes into the custody of the department and is later determined to be lost, abandoned, and not known or suspected to be connected to any criminal offense.

In accordance with Rhode Island General Law 33-21.2, if the owner of the found property does not claim the property within ninety (90) days, the finder of the property may claim the property within six (6) months. If neither of the parties claim the property, the property will revert to the general fund.

PHYSICAL EVIDENCE: Any substance or material found or recovered in connection with a criminal investigation.

PROPERTY CONTROL OFFICER: Detective(s) assigned by the Detective Commander will be responsible for all evidence and all other property with significant monetary value that is to be stored at the North Kingstown Police Department.

RECOVERED PROPERTY: Any property belonging to another that comes into the possession of department or department personnel.

### **IV. PROCEDURES**

#### **A. Property Control Officer**

The Property Control Officer shall be responsible for the management, control, and maintenance of the property storage areas. Only officers assigned to the Property Control function will have access to the evidence room. The Property Control Officer shall store all evidentiary property and other found / recovered property, in the evidence room which is in the custody of the department. Patrols have access to first storage areas such as the Conex boxes, impound lot, and center garage.

The records maintained by the Property Control Officer will include the following:

1. Location of property
2. Description of property
3. Date property was received
4. Date property was released
5. Chain of custody from the time the property was stored until final disposition
6. The dates and results of all property inspections and inventories.

This information must be entered by officers when submitting evidence into first storage locations.

## **B. Access Control**

The Detective Commander and Property Control Officers will have sole access to the department evidence room. Access will be done with security key fob that will be tracked and recorded. The entrance to the property control room will also have external video surveillance. Additional security measures will be taken for the 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.

## **C. Storage of Property**

All physical evidence and property will be stored in the following designated and secure areas:

1. Evidence room
2. Processing room
3. Department impound yard
4. Department center bay
5. Hazardous property storage area
6. Drug locker
7. Detective's evidence safe
8. Temporary property lockers
9. Department conex boxes
10. Refrigerated locker
11. Evidence return locker
12. Any other area deemed appropriate by the Chief of Police or his designee

## **D. Temporary Lockers**

The department shall utilize temporary property storage lockers for the placement of evidence until such time that the Property Control Officer can properly store such property/evidence in the property room.

The Property Control Officer shall have sole access to the temporary property storage lockers once an item is secured in it by a department member. In the absence of the Property Control Officer, the Detective Commander or alternate Property Control Officer shall be permitted access.

The Property Control Officer shall make routine inspections of temporary property storage lockers to remove and take custody of all deposited property for permanent storage.

All property received, or evidence seized by officers will be secured and recorded as follows;

1. The officer who seizes property shall place the property into one of the temporary property storage lockers or drop box before the end of their tour of duty.
2. All property received or evidence seized by officers will be:
  - a. Logged into the IMC system as soon as possible.

- b. Placed in a temporary storage locker before the end of the officer's tour of duty.
  - c. All evidence placed in the temporary storage lockers or drop box will be properly packaged and labeled. (Items may be placed in evidence bags or tagged).
3. All perishable evidence temporarily stored in the department shall be secured and properly stored, in a refrigerated area if indicated.
  - a. Such evidence shall be transported to the department in a timely fashion.
  - b. The same security measures implemented for temporary property storage containers shall also apply to perishable evidence.
4. All property will be stored and packaged in accordance to Section C & E.
5. Found property that does not fit in temporary storage will be stored in the Conex boxes or impound lot. These items will be stored and maintained by the Patrol Division. This includes proper tagging of items and placing the item in an orderly fashion. The Patrol Division will review found property in the conex box on a regular basis to determine if any items case be released or disposed of in accordance with this general order.

#### **E. Containing Evidence**

1. The main purpose in using proper containers is to prevent a change in the physical evidence through:
  - a. Loss by leakage
  - b. Evaporation or seepage
  - c. Contamination
  - d. Mixture or mingling
  - e. Alteration
  - f. Pilferage
2. The investigating officer and the Property Control Officer are directly responsible for the preservation and security of the evidence.
3. All evidence containers should be sealed in such a way that a container cannot be opened. All seals should have the officer's name or initials and other particulars (date, time, case number, etc.) written upon it. Bio-hazard and or caution stickers will also be affixed to exterior of all containers when appropriate.
4. Evidence should not be bent or forced into a container. Padding may be added to prevent the object from moving, sliding, or rolling, within a container if necessary.
5. To ensure the preservation of evidence and the prevention of contamination, all items should be properly packaged, as follows:
  - a. Metal paint cans shall be used for volatile and hazardous substances, arson related materials and electronic devices that have remote access capabilities.

- b. Clean plastic jars, plastic canisters, or evidence envelopes for appropriated sized items; such as: bullets, casings, glass fragments, metal fragments, paint chips, hair, fibers, dried blood, powder, etc.
- c. Self sealing plastic bags for narcotics and other dangerous drugs, jewelry, paper and other small items.
- d. Self sealing plastic monetary bags will be used with all authentic forms of currency.
- e. Small plastic tubes with screw on lids for suspected liquids such as alcohol.
- f. Paper bags for stained materials, such as bloodied articles or those containing seminal fluid. (Do not package when wet or moist. Articles should be allowed to thoroughly dry, then be placed in their own separate bag.)
- g. Cardboard boxes for large bulky items or numerous small articles from the same location.
- h. Firearms and long bladed weapons are to be stored individually in department issued firearm or knife boxes.
- i. Hypodermic needles and syringes will be sealed in clear, plastic, protective cases prior to being sealed in plastic evidence bags.
- j. Other evidence collection containers that are used for special purposes (i.e. DUI blood evidence kits).

#### **F. Presenting the evidence to the Property Control Officer**

1. If a Property Control Officer is not immediately available, the property can be secured in an approved temporary evidence storage location. It is the responsibility of that officer to notify detectives of such evidence in the temporary evidence storage location and document the transfer in the IMC evidence tracking section.
2. The receiving Property Control Officer will place the evidence in the respective Evidence Room or area as deemed appropriate. This action will be documented in the IMC evidence tracking section.
3. The Property Control Officer has the right to refuse evidence based on any of the following criteria:
  - a. Improperly labeled
  - b. Improperly packaged – including lack of seal
  - c. Improper/lack of property tracking within IMC
4. Refused Property Procedure:
  - a. A deficiency notice (see attachment A) will be attached to the property before the property is transferred back to the investigating officer via face-to-face transfer or via a secure Evidence Return Locker.
  - b. The key to the Evidence Return Locker will be transferred to the investigating officer's supervisor, who will be responsible for providing the key to the investigating officer. An internal memo will be sent notifying both officers of the evidence deficiency notice.
  - c. Once corrections have been made, the investigating officer will secure the evidence and the evidence return locker key into a temporary property locker and log the evidence as required.

5. When an officer needs to take custody/remove evidence from the Evidence Room, the requesting officer will notify a Property Control Officer. A Property Control Officer shall then remove the evidence from the evidence room and transfer custody to the officer requesting the evidence through a face-to-face transfer or via an evidence return locker. This action, along with the reason and comments for the transfer, will be documented in the IMC evidence tracking section. The key to the evidence return locker will be transferred to the requesting officer's supervisor, who will be responsible for providing the key to the requesting officer. An internal memo will be sent notifying both officers of the evidence transfer.
6. When the investigating officer transfers *any* evidence back to the Property Control Officer, the Property Control Officer will subsequently document the return of the evidence in the IMC evidence tracking section and then return the evidence to its previously designated storage location. If the Property Control Officer is not available, the investigating officer will secure the evidence in a temporary storage locker and document the transaction in the IMC evidence tracking section.

#### **G. Narcotics and/or other Controlled Substances**

1. Narcotics and other controlled substances create special custodial problems not found with other types of property and require a higher level of security.
2. Seized narcotics and/or controlled substances shall be kept solely in the possession of a sworn officer. Such property shall be locked in a temporary storage container (Drug Locker) or evidence room and delivered to the Rhode Island Department of Health, Toxicology Lab as soon as practical and if testing is needed
3. In all cases that involve the seizure of narcotics or controlled substances, the evidence needs; officer's name, date, time logged, case number and the property number that was issued through the IMC.
4. Whenever possible, the officer who seized the narcotics and/or controlled substances shall be the same officer who transfers such evidence to the temporary storage (Drug Locker) or Property Control Officer. The following procedures shall be strictly adhered to:
  - a. Department members shall field test narcotic seizures prior to transferring the seizures to the Property Control Officer or temporary storage. The field test result, kit number, amount/weight and photograph if taken must be included in the report. The field test kit can be properly disposed of after testing and documentation.
  - b. The department member transporting narcotics to the Rhode Island Department of Health Division of Toxicology lab shall present a *Rhode Island Department of Health Evidence Examination Request and Receipt Form* stating the substance and amount of items to be tested. The department member and Toxicology agent shall sign the provided form. A copy of this form shall be filed with and become an exhibit for the department's prosecution package.

- c. All narcotic seizures shall be weighed at the Rhode Island Department of Health Division of Toxicology lab. This shall be the weight used at all evidentiary and criminal proceedings.
- d. All containers of narcotics and/or controlled substances will be inspected for signs of tampering.
- e. The Property Control Officer or a designated officer as assigned by the Detective Lieutenant, who is transferring custody of the narcotics from the Rhode Island Department of Health, Toxicology Lab shall sign the toxicology report acknowledging the transfer of custody.
- f. Upon the return of narcotics evidence from the Rhode Island Department of Health Division of Toxicology lab, the Property Control Officer shall appropriately track the returned items in IMC.

## V. DISPOSITION OF PROPERTY

### A. Evidentiary Property

When no longer needed for evidentiary purposes, all property, with the exception of firearms, child pornography, narcotics, controlled substances, and items associated with the crime, i.e., drug paraphernalia, ledgers, gambling slips, etc., shall be returned to its lawful owner, unless title to the property is transferred to the department by Court Order or the lawful owner fails to claim the property. In such cases, the department may, as permitted by statute:

- Destroy the property.
  - Dispose of the property by public auction as determined by the Chief of Police
  - Donate the property to a charitable organization.
  - Retain the property for use by the department.
1. In criminal cases, property is considered unclaimed six (6) months after the case is concluded and all appeals are exhausted. After six months, notice of unclaimed property shall be sent to the last known address of the owner. All property not claimed within six (6) months after notification shall revert to the general fund of the State of Rhode Island in accordance with R.I.G.L. 33-21.0-14.1.
  2. The Property Control Officer shall ensure final disposition of all found, recovered, and evidentiary property after all legal requirements have been satisfied.
  3. The Property Control Officer will make every reasonable effort to identify the owner of property in possession of the department. A letter will be sent to owners (if known), explaining the procedure to claim their property prior to final disposition.
  4. When property is returned to its lawful owner(s), a *Claim of Ownership Form* shall be signed by the owner(s) and the department member releasing the property. The

owner shall present the proper paperwork of ownership upon request if needed and photo identification that shall be photocopied and placed with the signed release. The property will then be updated in IMC to reflect the release.

5. An entry of the final disposition shall be entered into IMC.
6. Vehicles that are no longer needed for evidentiary purposes and are not being forfeited to the North Kingstown Police shall be returned to the rightful owner. If the owner does not claim the vehicle within six months of disposition of the case, the vehicle shall then be considered abandoned and will be released to the North Kingstown Police Department or Town of North Kingstown.
7. Firearms and other non-drug contraband shall be physically destroyed unless:
  - a. A Court Order authorizes the use of non-drug contraband property by the department;
  - b. An innocent owner of the firearm claims the seized firearm after it is no longer needed as evidence; or,
  - c. A Court Order authorizes the return of a firearm or non-drug contraband to its lawful owner.
8. Prior to the disposing of evidentiary property, the Property Control Officer shall ensure that the appeal window has expired after the disposition of each case:
  - a. District Court Cases -14 Days
  - b. Family Court Cases - 20 Days from date of entry on case
  - c. Superior Court Cases - 30 Days
  - d. RITT Cases – 14 Days from adjudication or 365 Days from date of default (Civil Marijuana Cases)
  - e. Diversion – Conclusion of case plus 14 days

## **B. Seizure and Disposition of United States Currency**

1. In circumstances where United States currency is seized from individuals during an investigation, Department members shall adhere to the following guidelines:
  - a. The department member seizing the currency shall count it in front of the person from whom it is being seized in the presence of another officer.
  - b. The currency will be placed in the currency envelope and signed by the member who seized / counted the currency and other officer who witnessed the count.
  - c. A supervisor shall also count the currency and will also sign this envelope verifying the currency amount prior to be sealed.
  - d. The currency will then be sealed and secured in the temporary locker.
  - e. Currency will then be transferred to the evidence room safe by the Property Control Officer.
2. When the evidence is no longer needed to be in the control of the department, the currency will be disposed of in accordance with RIGL.

### **C. Seizure and Disposition of Weapons**

1. In circumstances where a gun is seized as evidence from individuals during an arrest or investigation, the weapon will be stored in the evidence room until the case is disposed of in court.
2. When a gun is scheduled to be returned to its owner, the Property Control Officer will notify the Detective Commander. The Detective Commander will review the case and determine if the gun should be returned. With the approval of the Chief of Police or his designee, the Property Control Officer will return the weapon.

### **D. Found Property**

1. Found property may, in accordance to R.I.G.L. 33-21.2-3, be returned to the finder if the owner of said property does not claim his/her property within a 90 day waiting period from the date the property was seized by the department. If the finder fails to claim the property within six (6) months of reporting and delivering the found property to the department, the property shall revert to the general fund of the State of Rhode Island in accordance with R.I.G.L. 33-21.2-4.
2. Unclaimed property is considered all personal property which has been confiscated by the department and held in the custody of the department for more than (6) months.
3. When property is returned to its lawful owner, the owner will sign a *Claim of Ownership Form* along with providing photo identification that shall be photocopied and placed with the signed release and filed with the Records Division of the Police Department.

### **E. Destruction of Property**

1. The Property Control Officer shall be the only authorized officer to destroy any property/evidence in the evidence room.
2. All property destroyed will be documented in the corresponding IMC report and logged as destroyed.
3. Weapons and narcotics/other controlled substances will be disposed of at an approved facility. The procedure for destroying weapons / narcotics or other controlled substances will be as follows:
  - a. Weapons will be documented by serial number, make, model and report number.
  - b. The Property Control Officer and another member of the department will transport all weapons and drugs to be destroyed to an approved facility for destruction.
4. Fireworks and ammunition will be turned over to the State Fire Marshall for destruction.
5. All "other" property will be destroyed and properly disposed of.

## **F. Disposition of Stolen Property**

1. When an officer determines through NCIC that recovered property has been entered as stolen, the member shall send a NCIC "Locate Message" to the originating agency, as soon as practical. The originating agency shall have the responsibility of making notification to the original complainant. Officers should obtain verification from the originating agency that the property owner has been notified. If property is determined to be stolen through other methods, the officer shall make every reasonable effort to notify the property's lawful owner in a timely fashion.
2. When the ownership of property seized during a criminal investigation is disputed, officers shall adhere to the procedures set forth in Rhode Island General Law 11-41-15. The return of the stolen property to its lawful owner prior to the final disposition of the matter shall be determined on a case-by-case basis. The Property Control Officer, when appropriate, will consult with the respective prosecuting attorney prior to releasing any stolen property.

## **VI. RECORD KEEPING**

- A. The Property Control Officer shall maintain a record of all property in IMC evidence tracking section that shall include:
  1. The location of the property.
  2. The date and time the property was received.
  3. The date and time the property was released.
  4. The type and amount of property on hand.
  5. The chain of custody from the time the property was stored, until its final disposition or destruction.
  6. The dates and results of all inspections and inventories of property and records.

## **VII. INSPECTION PROCEDURES**

### **Inspection of the Department's Property Management System shall include the following procedures:**

- A. At least semi-annually the Department's Property Control Officer shall conduct an inspection of the procedures used for the control of property and document such inspections. Inspections shall be conducted to determine that:
  1. Areas are clean and orderly.
  2. Applicable property management system orders, policies, procedures, and directives are followed.
  3. Property is being protected from damage, deterioration, and theft.
  4. Proper accountability procedures are being followed.
  5. Property having no evidentiary value is promptly and properly disposed of.
  6. Evidence facilities are secure and all security controls are in proper working order.

- B. Whenever a new Property Control Officer is assigned to and/or transferred from the property and evidence control function, an inventory of all property is conducted jointly by the newly designated Property Control Officer and a designee of the agency's chief executive officer, to ensure that records are correct and properly annotated. The purpose of the inventory is to ensure the continuity of custody.
- C. To ensure the integrity of the Property Management and Control System, an annual audit shall be conducted by a supervisor not routinely or directly connected with the control of property. (See Appendix A)
  - 1. The supervisor shall be appointed by the Chief of Police.
  - 2. Under no circumstances, shall the supervisor be selected from officers having the property function under their control.
- D. Unannounced inspections of evidence storage areas shall be conducted as directed by the Chief of Police at least once a year.
- E. A record of any and all inspections shall be maintained with the Detective Commander and a copy forwarded to the Chief of Police or his designee.

This order rescinds all previous orders or memorandums concerning the collection, storage, and documentation of any property obtained by the North Kingstown Police Department.

By Order of:



Patrick Flanagan  
Chief of Police

## Appendix A

### Sample Size Determination for Annual Property and Evidence Audits

The purpose of the annual audit is to ensure the continuity of custody and not to require the accounting of every single item of property, unless the total number of items is small. Agencies should draw a representative sample of property and evidence that is sufficiently large to establish confidence that proper procedures and systems are being followed. Minimum sample sizes should be as follows:

- If the agency has 100 or fewer items in custody, then the status of all items should be reviewed.
- If the agency has 101 or more items in custody, then a sample of 100 items should be selected for the annual audit according to these criteria –
  - If the agency has 100 or more high risk items, then the annual audit should review a minimum of 100 high risk items.
  - If the agency has fewer than 100 high risk items, then the annual audit should review all the high risk items, plus a representative sample of other items to bring the total reviewed to 100 at a minimum.

It is recognized that some agencies have thousands, even tens of thousands of items of property and evidence in custody. While the annual audit may review a small percentage of items in custody, it should be recognized that it is only one of several actions that are necessary to maintain control and accountability. Other actions include both semi-annual and unannounced annual inspections and an in-depth audit whenever there is a change-over in property and evidence custodian.