



# Manual of Administrative Operations and Procedures

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(d) If preautomated evidence is required to be transmitted to FBIHQ and/or the DEA Laboratory, it is suggested that the evidence be immediately entered into Collected Item, and handled according to the guidelines as noted in Section 2-4.4.4 (11)(a).

EFFECTIVE: 10/16/96

2-4.4.5 | General Evidence

(1) Items of evidence such as firearms, ammunition, clothing, typewriters, computer equipment, latent fingerprints lifted from a crime scene, and documentary items (exclusive of ELSUR evidence) such as books of account, printed materials, video tapes, motion picture films, magnetically or electronically recorded cards, tapes, discs, are treated as general evidence and stored within the ECR.

(2) If documentary items have been admitted into evidence during court proceedings or serve a continuing law enforcement purpose, the items may be retained by the FBI with the concurrence of the USA. (See also MIOG, Part II, Section 28 and Legal Handbook for Special Agents, 5-12.4.)

(3) ELSUR evidence is treated as general evidence in Collected Item, and handled in accordance with procedures set forth herein, and in MIOG, Part II, 10-9.

(4) Clothing that may contain blood and/or other liquids of known or unknown origin, should be completely dried before being stored or shipped. In field offices that are moving to newly acquired space, or being renovated, a separate room (not inhabited by employees) should be utilized to air-dry these garments. This room is to be either in the ECR or adjacent to the ECR and have outside ventilation. If the drying room is outside of the ECR, it must be as secure as the ECR.

(5) Prior to storing and/or shipping blood-stained garments, the HANDBOOK OF FORENSIC SCIENCE and the DANGEROUS GOODS REGULATIONS should be consulted.

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with the date, time, and reason for acceptance.

d. Chain-of-custody information continues in this fashion as the property changes hands. Chain-of-custody entries should not disclose that the evidence is released to or accepted by the ECR; the entry must show the signature of the person accepting/releasing custody.

3. It is the responsibility of the ECT to ensure that the chain of custody is accurately recorded on the package copy of the nonautomated green FD-192.

4. The index copy of the nonautomated green FD-192 serves as the index of property acquired as evidence. A consolidated record of all index copies is to be maintained in the ECR in a binder labeled "(Name of Field Office) - Index of Evidence". The index copies are to be filed by evidence category (general, valuable, drug) in numerical sequence by file number. If a satellite ECR is established in a resident agency (RA), the index copies of the nonautomated green FD-192s for evidence maintained in that RA are to be maintained in the field office Headquarters City ECR in a separate binder labeled "(Name of Resident Agency) - Index of Evidence" and filed therein as noted above. To maintain an effective recordkeeping system and to facilitate the conduct of physical inventories as required in Section 2-4.4.15, the Headquarters City's and RA's indexes must be kept up to date by noting any type of chargeout/transmittal/disposition of property on the appropriate index copy.

(b) A 1B number should be assigned to the nonautomated green FD-192 by the ECT. A notation should be made on the nonautomated green FD-192 noting the exact location of the property stored in the ECR. When applicable, the 1B number should also be listed on the evidence label attached to the plastic pouch containing drug or valuable evidence. The ECT should ensure that the location of the property and the 1B serial number are legible on each copy of the nonautomated green FD-192.

(c) When physical inventories are conducted as required in Section 2-4.4.15, the inventories of preautomated evidence will be reconciled with the index copies of the nonautomated green FD-192s maintained by the ECT in the Headquarters City ECR, not those maintained in satellite ECRs in the RA. Therefore, the Headquarters City ECT should be advised of any type of chargeout/transmittal/disposition of property located in the RA to prevent discrepancies.

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Manual, Introduction, 1-2.6.3.)

(20) Obscene material which will be retained as evidence must be clearly marked "Obscene" and stored as general evidence in the Evidence Control Room (ECR). (See 2-4.4.11 and MIOG, Part I, 145-2; Correspondence Guide - Field, 1-14.)

(21) For Preautomated Evidence only:

Every effort should be made to enter all evidence into Collected Item. However, if extenuating circumstances prevent the entry of preautomated evidence into Collected Item, the following guidelines are to be followed:

(a) Three copies of the nonautomated green Form FD-192 should exist for preautomated evidence.

1. The original copy must be signed by an SSA and filed in the first section of the case file immediately above the 1A section (FD-340a). If there is no 1A section, the file copy becomes the first item in the first section of the case file. The file copy may be maintained in a subfile, in which case a blank nonautomated green FD-192 should be placed in the main file as a substitute for the original indicating their location, i.e., "1B serials maintained in Subfile E."

2. The package copy of the nonautomated green FD-192 records the chain of custody and must remain with general evidence. (If valuable/drug evidence, the package copy is not affixed to the property, but is filed in numerical sequence by file number in a binder which is maintained in the valuable/drug evidence repository. The package copy may be reproduced if more than one copy is required.) The signatures of persons, including the ECT, accepting custody must be recorded thereon as follows:

a. The first chain-of-custody entry is the employee who first acquired the property as identified on the front page of the nonautomated green FD-192.

b. The second chain-of-custody entry is the individual to whom the property was first released. The date, time and reason for release is also required.

c. The third chain-of-custody entry is the signature of the ECT or other individual who accepts possession from the individual releasing it (second chain-of-custody entry), along

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Material) is not required unless specified by the case Agent. The case Agent will consult with the AUSA to determine whether chain of custody should be maintained on specific Grand Jury Material. If so required, an FD-192 is completed and the material is stored in the ECR. When a chain of custody is not required, Grand Jury Material is documented on Form FD-192a (Control Form for Nonevidentiary Items), entered into Collected Item as a 1C serial, and segregated from the other nonevidentiary property, with access given only to those individuals named on the Grand Jury List. When Grand Jury Material is entered into Collected Item as a 1C, it is charged out by using Form FD-5 (Serial Charge-Out). (See MAOP, Part II, 2-4.4.16 and 10-13.8 and MIOG, Part II, 2-9.5 and 2-9.7.)

(17) Special Agents' original interview notes are not intended to be used as evidence at a trial, and questions raised by the defense with respect to them generally attempt to focus on inconsistencies between the original notes and the resulting FD-302. Just as it is not necessary to maintain chain of custody on the FD-302, it is not necessary to maintain chain of custody on original interview notes and they should be filed in the 1A section (FD-340a) of the case file.

(18) Classified National Security Information should be handled in the same manner as other evidence, with the exception that it must be retained in a storage receptacle, appropriate to its level of classification, with full consideration as to the necessary chain-of-custody accountability. Money, weapons, and other items of intrinsic value shall not be stored in the same security container unless they are also classified. Material believed to be classified, but not so identified, must be protected as though it is classified. Within 30 days a determination as to its classification must be made either by presentation of the material to an Original Classification Authority or comparison with an approved classification guide in accordance with MIOG, Part II, 26-2.3. Under no circumstances will classified material be released to any person unless it has been determined that they have the necessary clearance and/or access commensurate with the classification level of the material and a demonstrated need to know.

(19) Electronic Surveillance (ELSUR) evidence (serialized as a 1D) should be handled in the same manner as general evidence, with the exception of Title III material which must be sealed within five (5) days by the court. (See MIOG, Part II, 10-9.) However, ELSUR evidence is not to be stored in the ECR, but rather in a room specifically designated for such material. The physical requirements for this room are the same as for an ECR (see 2-4.4.2). (See FCI

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affixed to the general evidence or filed in the binder maintained in the valuable/drug vault. The chain-of-custody information is then entered into Collected Item.

(f) If the evidence is to be returned to the RA, and not to the ECT in Headquarters City, the RA is to request that a copy of the laboratory report be furnished to the ECT when the evidence is returned to the RA.

(12) Collected Item will produce 60-day charge-out reminders.

(13) Property or items seized or recovered incidental to a search and seizure should generally be treated as evidence and maintained in the ECR. The below-listed material/items are currently considered hazardous materials.

- Flash Paper
- Live Ammunition
- Explosives
- Radioactive Materials
- Flammable Liquids and Solids
- Flammable and Nonflammable Gases
- Spontaneously Combustible Substances
- Oxidizing and Corrosive Materials

All require special packaging and the amount of each item which can be shipped is regulated. (See the Manual of Investigative Operations and Guidelines (MIOG), Part II, 13-6.7.1 and the HANDBOOK OF FORENSIC SCIENCE for specific requirements and instructions for the handling/storing/shipping hazardous materials.)

(14) Property seized for forfeiture, which is also evidence, should be treated as evidence and maintained in the ECR during the forfeiture process. (See the FORFEITURE AND ABANDONED PROPERTY MANUAL, Step 3-1.)

(15) Nonevidentiary property, if size permits, may be filed in the 1A section of the case file. Otherwise, large nonevidentiary property (serialized as a 1C), seized, subpoenaed or contributed pursuant to investigative activity, is to be stored in a separate area within, or, at the discretion of the SAC, outside the field office, in space specifically designated for the storage of nonevidentiary items. (See 2-4.4.16.)

(16) Chain of custody on Grand Jury Material (Rule 6E)

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(10) In task force investigations, it is permissible for a Federal criminal investigative agent from a participating federal agency or a deputized officer from a participating police department, to record chain of custody on Form FD-192 (Control Form for General/Valuable/Drug Evidence) when that investigator/officer is involved in the acquisition of the property documented on the FD-192. He/She may also participate as the sealing/witnessing agent in the verification and sealing of DRUG/VALUABLE EVIDENCE. Support employees may be witnessing officials for valuable evidence only.

(11) In EMERGENCY SITUATIONS where circumstances dictate the immediate transmittal of evidence to FBIHQ and/or the DEA Laboratory by Agent personnel in an RA, prior to being furnished to the ECT for handling, the property must be documented, within the 10-calendar-day time frame, in Collected Item as noted in Section 2-4.4.4 (1) through (8), and handled according to the following procedures:

(a) The case/seizing Agent is to note transmittal information on the chain-of-custody page of the automated FD-192, (i.e., forwarded to FBI/DEA Lab, registered mail number or Federal Express number, date of transmittal letter, etc.), and furnish the chain of custody and an automated FD-192 (or a drafted green data-loading FD-192) to the ECT. The ECT does NOT sign the chain-of-custody page unless he/she is physically taking custody of the evidence; however, the appropriate information must be recorded in Collected Item. (See (21) (d).)

(b) The ECT assigns a bar code number and a 1B serial number to the evidence documentation. The bar code label is held by the ECT until the evidence is returned by the DEA or FBI Laboratory.

(c) The file copy of the automated FD-192 is initialed by an SSA and filed in the case file as noted in Section 2-4.4.4 (6).

(d) The package copy of the automated FD-192 is retained in the ECR and filed in a binder labeled "Evidence sent to FBIHQ" or "Evidence sent to DEA Lab" according to the transmittal date.

(e) When the evidence is returned to the field office, the ECT attaches the assigned bar code to the property, and properly executes the chain of custody on the package copy of the automated FD-192. The package copy of the automated FD-192 is

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(5) The ECT accepts the evidence and signs the chain of custody. He/She then enters the required information (if not already done so by the Agent), and produces a bar code number (which is affixed to the evidence packaging) and a 1B/1D serial number. (For detailed procedures on entering evidence into Collected Item, see the AUTOMATED CASE SUPPORT (ACS) USERS' GUIDE.) The chain of custody and a record thereof must be maintained on evidentiary items from the time of acquisition to the time of disposition.

(6) Upon assigning the bar code to the evidence, the ECT is required to print three new copies of the FD-192 which show the bar code. One copy of the automated FD-192 (file copy) is submitted to the Supervisory Special Agent (SSA), primary relief supervisor, ASAC or SAC for initialing, and is then filed in the first section of the investigative case file immediately above the 1A section (FD-340a). (See (11)(c).) If there is no 1A section, the file copy becomes the first item in the first section of the investigative case file. The file copy may be maintained in a subfile, in which case a blank automated FD-192 should be placed in the main file as a substitute for the original indicating their location; i.e., "1B serials maintained in Subfile E."

(7) For GENERAL EVIDENCE, the second copy (package copy) of the automated FD-192 and the written chain of custody is affixed to and remains with the evidence until final disposition. For VALUABLE AND DRUG EVIDENCE, the package copy and the written chain of custody is filed in numerical sequence, by file number, in a binder which is maintained in the ECR.

(8) The third copy is an informational copy which is to be forwarded to the paralegal specialist within the field office for forfeiture potential. (See (11).)

(9) The written chain of custody documents the SIGNATURES of persons, including the ECT, who receive custody of the evidence while it is the property of the FBI. The first chain of custody is established as a result of entering the group data on the first page of the automated FD-192 and indicates the identity of the person who collected the evidence. Subsequent chain-of-custody signatures will be made by the ECT or other individuals who receive the property. Chain-of-custody entries should not disclose that the evidence is received by the ECR; instead the entry should show the signature of the person to whom the custody of the evidence has been given. (The only exception to this policy is when evidence is forwarded to the DEA or FBI Laboratories.)

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directed to the ECT, placed in a binder in the ECR, and maintained from inspection to inspection.) The ECT is authorized to reject evidence that is submitted late without the accompaniment of an EC. The 10 calendar days for the acquiring Agent begin with the seizure of the property and ends when the ECT receives the evidence and signs the chain of custody. (If the acquiring Agent submits only the FD-192, thereby maintaining the evidence, the ECT is to be cognizant of the 10-day time frame and should not accept the late FD-192 without an EC. In the event the evidence is retained by the acquiring Agent, proper charge-out procedures are to be followed.)

(a) When LOs forward evidence to the OO, the following documents (when necessary) should accompany the evidence:

FD-192 (package copy and file copy)  
EC for late submission - SA and/or ECT  
FD-597

(See also 2-4.4.3 (7).)

(3) In field offices where Agent personnel directly enter their own evidence into Collected Item, the Agent sends the automated FD-192 to the ECT's printer and thereafter provides the evidence, together with a signed chain of custody (automated sheet), and the case file to the ECT. The 10 calendar days for the acquiring Agent begin with the seizure of the property and end when the ECT receives the entered information through Collected Item.

(4) The ECT is responsible for ensuring that the seized/recovered/contributed evidence is properly captured in Collected Item within 10 calendar days from the date the evidence and/or documentation was presented to him/her by the seizing Agent. Should extenuating circumstances prevent the ECT from entering the information into Collected Item within 10 calendar days, the AO is to be advised by an EC which is to be placed in the investigative case file. (A copy of the ECT's EC is placed in a binder in the ECR, and maintained from inspection to inspection.) The 10 calendar days for the ECT begin when:

(a) he/she signs the chain of custody at the time he/she acquires the evidence

(b) when he/she acquires only the documentation, and ends when he/she enters the information into Collected Item. (See 2-4.4.3 (8).)

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(17) At the discretion of the SAC, serves as a fully trained member of the Evidence Response Team.

(18) Upon the advice of the Evidence Program Manager, FBIHQ, and at the request of the Inspection Division, FBIHQ, conducts inspections of field office evidence programs with SAC approval.

(19) At the request of the Evidence Program Manager, FBIHQ, and with the consent of the SAC, assists the Evidence Program Manager to conduct training and ECR assessments in various field offices.

EFFECTIVE: 10/16/96

2-4.4.4 Evidentiary Property (See MAOP, Part II, 2-4.4.11 (3) and 2-4.4.16.)

To facilitate recordkeeping and storage procedures, evidentiary property is divided into three categories: general evidence, valuable evidence, and drug evidence. All newly acquired evidence must be entered into Collected Item.

Procedures for the administrative handling and storage of evidence are as follows:

(1) In field offices where Special Agent personnel do not directly enter their own evidence into Collected Item, the traditional green FD-192 is to be used as a "data loading form" (draft) to communicate to the ECT the information that is to be entered in Collected Item. The evidence, together with the "draft" FD-192, a signed chain of custody (automated sheet), and the case file, are then furnished to the ECT. Upon entering the information into Collected Item, the "draft" FD-192 is thereafter destroyed. It is NOT to be used as the file or package copy. (See (11).)

(2) The evidence and/or the documentation is to be submitted to the ECT within 10 calendar days from the date the evidence was seized/recovered/contributed. Should extenuating circumstances prevent handling of the evidence within 10 calendar days, the ECT advises the SA that an EC (aka Late Day Memo), is to be submitted to the SAC, signed by the Squad Supervisor and thereafter placed in the investigative case file. (A copy of the EC is to be

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pouches containing valuable or drug evidence; that an automated FD-192/FD-192a is filed in the case file and a second copy is attached to the property or placed in the binder/folder maintained in the valuable/drug evidence repository.

(10) Ensures chain of custody documentation for evidence is recorded in Collected Item and on the automated FD-192 maintained with the evidence.

(11) Ensures evidence is properly packaged and labeled for forwarding to FBIHQ other field offices, Drug Enforcement Agency (DEA), or contributor and that transmittal/disposition information is recorded in Collected Item.

(12) Retrieves evidence from the ECR and any other evidence storage facility as requested by Agent personnel; accurately records chain of custody on the form maintained with the package copy of the automated FD-192; and in Collected Item; produces a charge-out reminder report to ensure property held over 60 days is either recharged or returned to the storage facility.

(13) Upon request, retrieves nonevidentiary property from the facility and charges out the property by using an FD-5 (Charge-Out form) in accordance with established charge-out procedures. Maintains and monitors a record of property charged out to ensure nonevidentiary property held over 60 days is either recharged or returned to the facility.

(14) Follows closely the automated property disposition tracking system to ensure every effort is made to return property to contributor and/or property declared abandoned is processed on a timely basis. Closed Cases with Pending Evidence Report is to be run and distributed to squad supervisor(s) for evidence disposition decisions every 60 days.

(15) Disposes of property on instructions of FBIHQ, other field offices, or Agent personnel through actual destruction (drug evidence excluded), return to contributor, or other methods as appropriate. Should property that has been declared abandoned become the property of the FBI, ensures action is taken by supply personnel to have the property placed on the field office inventory.

(16) As necessary, may be required to testify in a court of law regarding evidentiary property (chain of custody) for which responsible.

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submitted to the SAC, signed by the Squad Supervisor and thereafter placed in the investigative case file. (A copy of the EC is to be directed to the ECT, placed in a binder in the ECR, and maintained from inspection to inspection.) The ECT is authorized to reject evidence that is submitted late without the accompaniment of an EC. The 10 calendar days for the acquiring Agent begin with the seizure of the property and end when the ECT receives the evidence and signs the chain of custody. (If the acquiring Agent submits only the FD-192, thereby maintaining the evidence, the ECT is to be cognizant of the 10-day time frame and should not accept the late FD-192 without an EC. In the event the evidence is retained by the acquiring Agent, proper charge-out procedures are to be followed.)

(a) When lead offices (LOs) forward evidence to the office of origin (OO), the following documents (when necessary) should accompany the evidence:

FD-192 (package copy and file copy)  
EC for late submission - SA and/or ECT  
FD-597

(See also 2-4.4.4 (2).)

(8) The ECT is responsible for ensuring that the seized/recovered/contributed evidence is properly captured in Collected Item within 10 calendar days from the date the evidence and/or documentation was presented to him/her by the seizing Agent. Should extenuating circumstances prevent the ECT from entering the information into the automated evidence system, aka Collected Item, within 10 calendar days, the AO is to be advised by EC which is to be placed in the investigative case file. (A copy of the ECT's EC is placed in a binder in the ECR, and maintained from inspection to inspection.) The 10 calendar days for the ECT begin when:

(a) he/she signs the chain of custody at the time he/she acquires the evidence, or

(b) when he/she acquires only the documentation, and ends when he/she enters the information into Collected Item. (See 2-4.4.4 (3).)

(9) Ensures that exact location of property is noted in Collected Item; that the 1B, 1C, or 1D serial number is recorded on the automated FD-192/FD-192a for file; that bar code labels are placed directly on the general evidence packaging, and on the plastic

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disposition of property; Dangerous Goods Regulations, International Air Transport Association (IATA).

(2) Ensures that access to the Evidence Control Room (ECR) and other evidence storage facilities is limited to persons having an official need; that all individuals entering the facilities are escorted and that access is recorded on Form FD-455 (Access Log, Evidence Storage Facility) maintained for EACH storage facility.

(3) Ensures that the proper protective clothing/equipment is stored and is readily available in the ECR, and is utilized when handling hazardous or potentially hazardous evidentiary property.

(4) In conjunction with Subpart H of Title 49, Code of Federal Regulations, Part 172 which requires that training be provided to those individuals who, in the course of their employment, directly affect Hazardous Materials (HAZMAT) transportation safety, the ECT is to avail himself/herself of such training. ECTs are to receive specialized HAZMAT training for air transport shipments every two years by a certified Department of Transportation or IATA-approved school. Strict fines are imposed on individual employees by the Federal Aviation Administration for noncompliance.

(5) Ensures, by physical examination of property, that the descriptive data entered into the automated evidence system (aka "Collected Item"), as furnished by case Agent/acquiring Agent, adequately reflects the property to be retained. (When evidence is heat-sealed, the sealing/witnessing officials are responsible for the accurate description of the evidentiary items.)

(6) Responsible for the recordkeeping, storage, and maintenance of all evidence. Responsibility for nonevidentiary property acquired during investigations may, at the discretion of the SAC, be assigned to the ECT if his/her workload permits. Otherwise, the SAC should assign responsibility for nonevidentiary property to an employee other than the ECT.

(7) The case Agent, acquiring Agent, and/or Agent Supervisor, depending upon the circumstances, as individuals or collectively, share the responsibility for ensuring that seized/recovered/contributed evidence is properly documented on the FD-192. The evidence and/or documentation is to be submitted to the ECT within 10 calendar days from the date that the evidence was seized/recovered. Should extenuating circumstances prevent handling of the evidence within 10 calendar days, the ECT advises the Agent that an electronic communication (EC), aka Late Day Memo, is to be

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designated VWOs, and must document the list of authorized vault witnessing personnel in the evidence control file. The VWO must also sign the FD-455 for each entry/exit.

(7) The only persons having emergency access to the Drug/Valuable Vault (both combinations or both keys) and the ECR will be the Special Agent in Charge (SAC), the Assistant Special Agent(s) in Charge (ASAC), and the Supervisory Special Resident Agent (SSRA). The written access numbers to the combination(s) or the key(s) for the dual access entry must be stored separately. One combination (or key) is to be maintained in a GSA-approved security container with the central combination record file; the other combination (or key) is to be placed in the COMSEC vault safe. The SAC/ASAC/SSRA who makes an emergency entry/exit into the ECR must sign the FD-455, and document their access by an electronic communication (EC) to the Evidence Control File. (See (3).)

(8) A refrigerator/freezer is to be placed in the ECR for the storage of body fluids and any perishable-type evidence. Food items, for personal consumption, are NOT to be stored in this refrigerator.

(9) On the entrance to the ECR (preferably the door) and on the refrigerator in the ECR, a BIOHAZARD WARNING label is to be placed.

EFFECTIVE: 10/16/96

2-4.4.3 Responsibilities of the Evidence Control Technician (ECT)  
(See MAOP, Part II, 2-4.4.10.)

The ECT is designated custodian of seized/recovered evidentiary property which encompasses the following responsibilities:

(1) Familiarity with the procedures set forth herein; the Manual of Investigative Operations and Guidelines (MIOG) Part II, Section 13 (Laboratory Division Aids to Investigations) for assistance in the collection, identification, preservation, packaging and transmittal of evidence; HANDBOOK OF FORENSIC SCIENCE; MIOG Part II, 13-6.7.1 concerning the handling and storage of hazardous chemicals; the FORFEITURE AND ABANDONED PROPERTY MANUAL concerning

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(a) The Evidence Control Technician (ECT) and Alternate Evidence Control Technician (AECT), when substituting for the ECT for one day or longer, are required to sign in and out on the FD-455 log maintained for the ECR only upon initial entry and final departure on a given day. Any other employee, including the AECT, when the ECT is on duty, must sign in/out on the FD-455 log for each entry/exit on a given day. ONLY ONE SIGNATURE PER LINE IS PERMITTED.

(b) In those field offices where more than one full-time ECT and/or more than one evidence storage facility is operated on a daily basis, access to the storage facility(s) is to be recorded on the FD-455 log as follows:

The ECT must sign in/out on the FD-455 log for the primary ECR, when first entry/last exit of the day is made. Access to any satellite ECR must be recorded on the FD-455 log maintained for that satellite ECR for each entry/exit on a given day.

(3) Access to the ECR and/or other evidence storage facilities which store general evidence, located within or outside field office space, is strictly limited to the ECT and AECT(s). Access by other employees is prohibited unless accompanied by the ECT/AECT, or as outlined in (7) below, and documented on the FD-455 log maintained for the facility accessed.

(4) In instances involving large seizures of evidentiary property which occur during off-duty hours (nights/weekends/holidays), the services of the ECT/AECT should be used to assist with analyzing, cataloging, inventory and storage of the seized/recovered property.

(5) In the event that the services of ECT/AECT are not utilized, a secured night depository is to be used for the temporary storage of valuable/drug evidence until the next business day. The night depository should be secured to the floor either outside the ECR or in the Night Supervisor's working area.

(6) The ECT/AECT is not authorized to access the Drug/Valuable Vault unless accompanied by the Administrative Officer (AO) or the person(s) designated to act on behalf of the AO as the Vault Witness Official (VWO). The vault witness responsibility remains with the AO, but the actual duty may be delegated to meet the requirements of the field office and resident agencies. However, the VWO should not be an AECT. Each office should limit the number of

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first aid and safety equipment should be stored in the ECR for easy accessibility. This includes, but is not limited to: disposable gloves/gowns, disposable plastic aprons, eye/mouth protection, pails with disinfectant, biohazard bags for disposing biohazard material (bag to be placed in a hard cardboard box), containers to hold needles, sink with hot and cold running water (with elbow or foot connection), flammable cabinets, acid cabinets, poison cabinets, and biohazard labels and containers.

(c) The Drug Vault (or room) should be afforded outside ventilation for the storage of odoriferous substances. The floor should be made of a nonporous material so that it can be disinfected.

(d) In the event evidentiary property is of such volume that it is not practical to store in the ECR or similar facility within field office space, it may be stored in a secure off-site facility at the discretion of the Special Agent in Charge (SAC). The off-site facility should be established in accordance with the guidelines set forth in (1) (a) through (c) above. Every effort should be made to store evidence in the ECR; however, if a similar facility within field office space or an off-site facility is used, these facilities are considered satellites of the ECR and are subject to the same administrative controls afforded the ECR.

(2) Form FD-455 (Access Log - Evidence Storage Facility) is to be maintained for each ECR or satellite ECR whether located within field office space or an off-site. In addition, a separate FD-455 is to be maintained for each valuable, drug, and ELSUR evidence repository regardless of size or location. The FD-455 establishes a reliable record of persons gaining entry. The visitor SIGNS his/her own name - one name per line, reason for entry, the case file number and 1B/1D serial number, if appropriate, and the date and time of entry/exit. This information is extremely useful in defense against attacks regarding chain of custody. In field offices where an "enclosed reception area" has been established at the entrance to the ECR, it is not required that the FD-455 be signed as long as the visitor does not enter beyond this "enclosed reception area." Investigative personnel reviewing evidence in the "enclosed reception area" are not required to sign the FD-455; however, the chain of custody must be signed as a record of their review of the evidence. The FD-455 logs are to be maintained from inspection to inspection. The logs are eligible for destruction following an inspection when the evidence, pertaining to the log entries, has been disposed of or the files listed on the log are eligible for destruction, whichever is sooner. (See 2-4.4.7 (1).)

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(2) | It is essential that seized/recovered/contributed property be properly identified and described by investigative personnel at the time possession is transferred to the investigator. The items are to be carefully packaged and the containers properly identified. If appropriate, chain of custody is to be established and a record thereof is to be maintained from the time possession transfers to the investigator to the time of trial/disposition. To minimize the number of FBI personnel required to establish chain of custody, it is recommended that one or two investigators be designated to identify and describe all evidence at any particular search or arrest site. |

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2-4.4.2 | Evidence Control Room (ECR) (See MAOP, Part II, 2-4.4.4 and 2-4.4.10:)|

(1) | The designated ECR should be a separate area, usually within the confines of field office space, used solely for the storage of seized/recovered/contributed property which can reasonably be expected to be introduced in court and/or subject to chain of custody, regardless of size. Access to the ECR is restricted to ensure evidentiary property is accounted for, retrievable, and can withstand defense challenges concerning chain of custody. |

(a)



(b) | Appropriate personal protective supplies and

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